



GOVERNING BOARD
UNIVERSITY OF PUERTO RICO

CERTIFICATION No. 65
2022-2023

I, Margarita E. Villamil Torres, Secretary of the Governing Board of the University of Puerto Rico, CERTIFY THAT:

The Governing Board, at its regular meeting on December 22nd, 2022, having considered the recommendations of its Appeals, Law and Regulations Committee, agreed:

To publish an English language translation of the *General Regulations of the University of Puerto Rico*, Certification No. 55 (2022-2023), filed under number 6479 at the Puerto Rico Department of State, as amended up to March 24th, 2022,

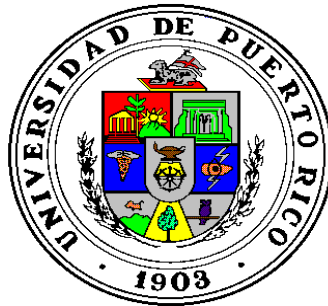
AND FOR THE RECORD, I issue this Certification, in San Juan, Puerto Rico, today
December 22nd, 2022.




Margarita E. Villamil Torres
Secretary

COMMONWEALTH OF PUERTO RICO
GOVERNING BOARD
UNIVERSITY OF PUERTO RICO

**GENERAL REGULATIONS
OF THE
UNIVERSITY OF PUERTO RICO**



*Certification No. 55 (2022–2023)
Compilation with approved
amendments through March 24, 2022*

GOVERNING BOARD
UNIVERSITY OF PUERTO RICO

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on behalf of Omar J. Marrero Díaz, Esq., Executive Director of AAFAF
[Puerto Rico Fiscal Agency and Financial Advisory Authority]

Hon. Eliezer Ramos Parés,
Acting Secretary of Education

ACTING EXECUTIVE SECRETARY

Edwin F. Pagán Meléndez, MBA, CIA

NOTE FROM THE EDITOR

The General Regulations of the University of Puerto Rico presented herein include all amendments adopted since the February 16, 2002 edition, authorized by the Certification No. 90 (2001 –02). These General Regulations were filed at the Puerto Rico Department of State, pursuant to the Uniform Administrative Procedure Act, Law No. 170 of August 12, 1988, as amended, and registered as Regulation No. 6479.

This version also incorporates amendments adopted up to March 24, 2022, date on which the most recent was approved, as shown below:

Certification No.	Department of State No.	Article Amended
140 (2001–2002)	6501	Articles 42, 50 & 52
59 (2003–2004)	6762	Articles 24 & 25
101 (2003–2004)	6800	Articles 24 & 25
27 (2005–2006)	7038	Article 71
101 (2005–2006)	7146	Article 110
15 (2006–2007)	7246	Articles 42 & 44
16 (2006–2007)	7247	Article 53
14 (2014–2015)	8524	Article 63
35 (2016–2017)	8840	Articles 41, 42 & 47
142 (2019–2020)	9203	Article 20
87 (2020–2021)	9285	Article 37
118 (2021-2022)	9371	Article 37

The footnotes throughout the text reference the Governing Board certifications that amend the particular article or section.

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UNIVERSITY OF PUERTO RICO GENERAL REGULATIONS

STATEMENT OF PRINCIPLES

The University of Puerto Rico, as an institution of higher education, is the repository of the highest aspirations of the Puerto Rican people. As such, its responsibility is to participate actively in the search for and dissemination of the truth, in the preservation, enrichment, and advancement of our values, in the full development of our youth, in the development of intellectual and spiritual wealth within our people, as well as in the examination and analysis of the grave issues that concern them. One of the most important tasks that pertain to our University is to study objectively the projections for the future development of our people, so that our decisions, democratically reached, may be as correct as possible.

As part of the integrated system of higher education at the service of the people, and as a corporate body with the authority, among others, to enter into contracts and to sue or be sued, the University constitutes a single legally responsible entity. The realization of its objectives requires the undivided support and loyalty of all those who study and work within its walls. The regulations regarding human resources at the University, while recognizing the working autonomy of the institutional units, must provide solidarity, uniformity, and structure in its application.

CHAPTER I

GENERAL PROVISIONS

Article 1 – Title

This body of rules shall be known as the General Regulations of the University of Puerto Rico.

Article 2 – Legal Basis

The legal basis for these Regulations is Law No. 1 of January 20, 1966, known as the University of Puerto Rico Act, as well as Laws Nos. 2 and 3 of the same date, as amended; Law No. 16 of June 16, 1993, as amended; and Law No. 186 of August 7, 1998. In addition, these Regulations are founded on the merit principle established by Law No. 5 of October 14, 1975, known as Personnel Act of Puerto Rico, as amended.

Article 3 – Severability

The provisions of these Regulations are separable from one another. The nullification of one or more sections or articles shall not affect others that can be applied independently of those declared null and void.

Article 4 – Validity

These Regulations became effective on the January 1, 1979. All amendments passed after January 1, 1979 shall become effective on the day of enactment or on the date indicated in the amendment.¹

Article 5 – Applicability

These Regulations shall be applicable to the whole, integrated system of higher education that is the University of Puerto Rico and shall take precedence over all regulations, rules, procedures, certifications, customs, and usages until now governing said University System.

Article 6 – Matters not Covered

Section 6.1 – University System

Matters pertaining to the University System as such and not provided for by applicable laws or by these Regulations shall be governed by the resolutions of the Governing Board or, in the absence of these, by the decisions issued by the president of the University, who shall inform the Governing Board thereof.

Section 6.2 – Institutional units

Matters that concern one institutional unit exclusively and are not covered by applicable laws, by these Regulations, or by the resolutions of the Governing Board, shall

¹ **Note:** Cf. Council on Higher Education (CES) Certification Nos. 52 (1978–79); 43a & 172 (1979–80); 102, 114 & 132 (1980–81); 100 (1990–91).

be governed by the decisions issued by the chancellors, who shall inform the president of the University thereof.

Article 7 – Order of Authority

The rules, guidelines, directives, resolutions, and procedures that are promulgated for application to the University shall observe the following order of authority, provided the officer or deliberative body that promulgated or issued them has acted within the scope of its authority.

- Section 7.1 – Applicable provisions of law*
- Section 7.2 – General Regulations of the University*
- Section 7.3 – Resolutions of the Governing Board*
- Section 7.4 – Master Plan for the Development of the University System*
- Section 7.5 – Rules, directives, resolutions, and other decisions issued by the president of the University*
- Section 7.6 – Resolutions of the University Board*
- Section 7.7 – Regulations of each institutional unit in accordance with the organizational structure established internally.*

Article 8 – Amendments

Section 8.1 – Power to amend

These Regulations may be amended from time to time by the Governing Board, on its own initiative or on the recommendation of the deliberative bodies or officers of the University.

Section 8.2 – Procedure for individual amendments

All proposed amendments must be submitted first to the president and the chancellors of the institutional units of the System for their comments and recommendations before being submitted before the Governing Board for consideration. The president and the chancellor of the institutional units who receive the text of a proposed amendment may consult with any deliberative bodies and officers of their units they may deem necessary. However, their comments and recommendations must be presented to the Governing Board within thirty (30) days of receiving the proposal. Upon the expiration of this period, the Governing Board may proceed to consider the proposal and to act thereon.

Section 8.3 – Procedure for general or partial revision

Whenever a general revision of these Regulations, or of one or more of its chapters, is proposed, the Governing Board shall issue certifications to implement the necessary mechanisms for the effective participation by the different sectors of the university community in said process of revision.

Section 8.4 – Special circumstances

Under special circumstances, when the urgency of the matter so requires, the Governing Board reserves the right to consider and approve amendments to these

Regulations without referring to the consultation procedure established in the preceding sections. In such cases, the amendments that are passed may be submitted again for reconsideration under the preceding section.

Article 9 – Fulfillment of the Objectives and Fundamental Obligations of the University

Each member of the university academic community, from the perspective of their particular duties and responsibilities, shall see that the mission, objectives, and fundamental obligations of the University are met, as expressed in Article 2 of the University of Puerto Rico Act, which reads as follows:

“(A) The University, as [an] organ of higher education, in its obligation of service to the people of Puerto Rico and its adherence to the ideals of an integrally democratic society, has as an essential mission [to attain] the following objectives, with which is consubstantial the fullest freedom of professorship and scientific research:

- (1) To transmit and increase learning by means of the sciences and the arts, making it serve the community through the action of its professors, investigators, students and graduates.
- (2) To contribute to the cultivation and enjoyment of the ethical and aesthetic values of culture.

“(B) In the faithful performance of its mission, the University shall:

- (1) Cultivate love of learning as conducive to freedom, through the search and discussion of truth, in an attitude of respect to creative dialogue.
- (2) Conserve, enrich and spread the cultural values of the Puerto Rican people, and strengthen their awareness of their unity in the common undertaking to democratically solve all of their problems.
- (3) Seek the full formation of the student in the light of his responsibility as a servant of the community.
- (4) Fully develop the intellectual and spiritual wealth latent in our people, so that the values of the intelligence and spirit of the exceptional personalities that arise from all social sectors, especially those least favored in economic resources, may be put to the service of the Puerto Rican community.
- (5) Collaborate with other organizations, within its appropriate sphere, in the study of the problems of Puerto Rico.
- (6) Keep in mind that, because of its very nature as a university and its identification with Puerto Rico’s living ideals, it is essentially linked to the values and interests of every democratic community.”

Article 10 – Autonomy of the Institutional Units*Section 10.1 – Relationship between administrative functions and autonomy*

All administrative and academic functions within the University System must be in harmony with the principle of the autonomy of the campuses and other institutional units. All administrative and academic actions must also keep with the concept of academic freedom and freedom of research of the faculty.

Section 10.2 – Relationship between concepts of autonomy and University System

The administrative and academic autonomy conferred upon the institutional unit must be exercised within the concept of the University System. It refers, therefore, to the internal autonomy of a campus or institutional unit with respect to other such units, but not with respect to the University System.

Section 10.2.1 – Coordination of initiatives

Such initiatives as may be taken on particular campuses or in particular institutional units that involve commitments that affect the University System must be coordinated. In these instances, implementation must depend on prior authorization by the president, the Governing Board, or both, as the case may be.

Article 11 – Academic Freedom and Freedom of Research*Section 11.1 – Academic freedom*

Academic freedom consists of the right of every member of the faculty to teach the subjects of their field, with objectivity and integrity and without restrictions other than those imposed by the intellectual and moral responsibility to cover all the essential elements of the course, as approved by the corresponding authority, by the respect for differing opinions, and by the obligation to impart their knowledge through pedagogical procedures consistent with the ethics of teaching and the search for truth.

Section 11.2 – Freedom of research

Freedom of research consists of the right of all members of the faculty involved in research to carry out their work free from restrictions that limit objectivity, intellectual integrity, or dedication to the search for the truth in their work.

Section 11.3 – The duty of the University

The University shall protect the faculty's academic freedom and freedom of research.

Section 11.4 – Corresponding rights of students

The exercise of academic freedom and freedom of research shall not impair the fundamental right of students to have the professor cover the essential elements of each course, setting out the different points of view thereon, within a framework of respect for the student's opinions and freedom of thought and expression.

CHAPTER II

COMPOSITION OF THE UNIVERSITY SYSTEM

Article 12 – Structure

Section 12.1 – University System

The University System shall be composed of the Governing Board, the Central Administration, the University Board, the institutional units, and those other units and branches established by law or by provision of the Governing Board.

Section 12.2 – Autonomous institutional units

The following shall be autonomous institutional units: the Río Piedras Campus, the Mayagüez Campus, the Medical Sciences Campus, the institutional units of Cayey, Humacao, Arecibo, Caguas, Ponce, Aguadilla, Carolina, and Utuado, and such other units as may be created in the future either by law or by decision of the Governing Board.²

Section 12.3 – Creation of new institutional units

When creating new institutional units, the Governing Board shall determine the form of their internal government and their interrelation with the other units and with the central government of the System.

² **Note:** Cf. CES Certification Nos. 49 (1970–71); 117, 128, 170 (1981–82); 93 (1983–84); 25 (1984–85); Board of Trustees Certification Nos. 151 (1997–98), 77 (1998–99), 9 (1999–2000); Law No. 186 of August 7, 1998.

CHAPTER III

CENTRAL GOVERNMENT OF THE UNIVERSITY

Article 13 – Governing Board

Section 13.1 – Governing Board of the University

The Governing Board of the University of Puerto Rico is the body onto which the people of Puerto Rico have delegated the authority to lead, guide, regulate, and govern the University System. In the exercise of those powers and in representation of the public interest, the Board must see to it that the University responds to the needs of Puerto Rican society and becomes an indispensable component in the efforts to solve the problems facing our people. The Board should promote the development of talent and resources within the University in order for the fundamental values of our society to come to fruition.³

Section 13.2 – Internal operation

The Governing Board shall establish regulations for its internal operation.

Section 13.3 – Appointment and recruitment

The participation of the Governing Board in the appointment and hiring of staff to render services to the University shall be as established in Chapter VI, Article 37 of these Regulations.

Section 13.4 – Processing of matters originating in the institutional units

Section 13.4.1 – Institutional units

As a general rule, matters that originate in the institutional units of the University System and submitted for the consideration of the Governing Board shall be submitted with all the pertinent documentation, through the chancellor of the unit and the president of the University, and with the recommendation or comments of these officers.

Section 13.4.2 – Procedures before the Governing Board

The Governing Board shall allow the members of the university community to submit matters directly before the Board for consideration under exceptional circumstances and when the law or the Governing Board so provides.

Section 13.5 – Awarding academic degrees

The Governing Board shall award all academic degrees conferred by the University in its duly approved programs.⁴

³ **Note:** Cf. Law No. 16 of June 16, 1993.

⁴ **Note:** Cf. CES Certification No. 89 (1987–88).

Section 13.6 – Appeals

The Governing Board shall decide the appeals filed against the decisions rendered by the president of the University or against the resolutions of the University Board, and the decisions of the Board of Appeals of the University System Non-Teaching Staff, the Retirement Board, and the Board of Appeals of the Exempt Non-Teaching Staff Classification Scheme.⁵

Article 14 – The President of the University*Section 14.1 – Appointment*

The president of the University shall be appointed by the Governing Board.

Section 14.2 – Appointment procedure

The Governing Board shall establish the procedure for the appointment of the president of the University.⁶

Section 14.3 – Chief executive authority of the System

The president, as the chief executive authority of the University System, shall lead said System with the advice and close collaboration of the chancellors and the University Board.

Section 14.4 – Coordination and supervision of institutional units

The president is charged with the responsibility of coordinating and supervising the institutional units in regards to their academic, student, administrative, and financial aspects, harmonizing the different interests and coordinating, particularly, those activities that exceed the scope of a single campus or unit.

Section 14.5 – Necessary directives

The president shall issue whichever directives are necessary and appropriate in order to fulfill the responsibilities of the office of President. Said directives must be in agreement with applicable laws, these Regulations, and such resolutions the Governing Board may adopt.

Section 14.6 – Responsibilities entrusted to institutional units

The president shall entrust the chancellors with such tasks as may be necessary for the proper integration of the System. The president shall meet with the chancellors at least monthly to discuss the issues within the System and to assign executive matters.

Section 14.7 – Proposals of the University Board

The president shall submit to the Governing Board, with recommendations, such proposals as the University Board may submit to the president and that require approval by the Board.

⁵ **Note:** Cf. CES Certification Nos. 138 (1981–82), as amended; 80 (1988–89).

⁶ **Note:** Cf. CES Certification Nos. 27 & 28 (1971–72); 8 (1977–78); 117 & 142 (1984–85); 95 (1989–90).

Section 14.8 – Authority to request information

The president shall have the authority to request, through the established channels, official information deemed pertinent from the officers and offices of the campus and other units of the University System. The president may request such information on behalf of the Office of the President or may delegate this duty to the directors of the Central Administration offices. The president shall establish, together with each chancellor, the necessary procedures to ensure that the officers and offices of each unit provide the information requested from them expeditiously and effectively, and in accordance with the administrative priorities of the institutional unit and the Office of the President.

Section 14.9 – Administrative structures in the Office of the President

The president shall organize within said office the administrative structures necessary to oversee the areas regarding academic and student affairs, finances, planning and development, budget, human resources, and University relations.⁷

Section 14.9.1 – Approval by the Governing Board

The organization and definition of the duties of the central offices, as determined by the president, shall be submitted to the Governing Board for approval. Said organization and definition of duties shall be promulgated by means of a certification issued by the Board.

Section 14.10 – Preparation of complementary regulations

The president shall prepare and submit to the Governing Board the following rules and regulations of general application for approval:

*Section 14.10.1 – Planning and development**Section 14.10.2 – Budget**Section 14.10.3 – Construction and conservation of capital improvements**Section 14.10.4 – Acquisition and disposal of fixed assets**Section 14.10.5 – University Press**Section 14.10.6 – Finance**Section 14.10.7 – Accounting**Section 14.10.8 – Organization and duties of the Central Administration offices*

⁷ **Note:** Cf. CES Certification No. 79 (1988–89).

Section 14.10.9 – General recruitment rules for the Central Human Resources Administration System

Section 14.10.10 – Complementary human resources regulations

Section 14.10.11 – Rules governing the appeals procedures for the University System

Section 14.10.12 – General rules for student admissions into the System

Section 14.10.13 – Other rules and regulations

In addition to those specified herein, the president shall prepare and submit to the Governing Board all other rules and regulations of general application necessary for the sound administration of the University System, except for those regulations whereby the law provides otherwise.

Section 14.11 – Procedures to be followed until complementary rules are promulgated

With respect to areas that shall be governed by complementary rules under Section 14.10 or any other section herein, until such rules have been drafted and promulgated, the general principles of these General Regulations shall apply, as well as such university customs and usages as do not conflict herewith.

Section 14.12 – Additional duties and obligations

In addition to the duties and obligations expressly assigned to the president by virtue of the University of Puerto Rico Act, the president shall have all those powers, prerogatives, and responsibilities that the Governing Board may assign the president, in accordance with the University of Puerto Rico Act and these Regulations.⁸

Article 15 – University Board

Section 15.1 – Composition

The composition of the University Board shall be as established in the University of Puerto Rico Act. Student representation on said Board shall be as determined by the Governing Board.⁹

Section 15.2 – Presiding officer

The Board shall be chaired by the president of the University or, in their absence, by the person designated by the president.

⁸ **Note:** Cf. CES Certification No. 18 (1985–86).

⁹ **Note:** Cf. CES Certification No. 14 (1974–75), as amended. *See*, Sec. 3, Law No. 186 of August 7, 1998.

Section 15.3 – Internal regulations

The Board shall approve the regulations for its internal operation consistent with these Regulations and the applicable resolutions of the Governing Board. A majority of two-thirds of the members of the Board shall be required to approve the internal regulations.

Section 15.4 – Duties and powers

The Board shall also have the following duties and powers, in addition to those specifically assigned by the University of Puerto Rico Act:

Section 15.4.1 – Collaborate with the president

Collaborate with the president of the University in the administration of the University System.

Section 15.4.2 – Advise the president

Advise the president on the general institutional policies of the University System.

Section 15.4.3 – Inform the president

Keep the president informed as to the opinions of the different sectors of the System concerning important matters that affect university life.

Section 15.4.4 – Propose policy to the president

Propose institutional policy measures to the president for their consideration or recommendation to the Governing Board.

Section 15.4.5 – Present recommendations to the president or the Governing Board

Present recommendations to the president or to the Governing Board on its own initiative or concerning such matters the president or the Governing Board have submitted to the University Board.

Section 15.4.6 – Present recommendations to the Governing Board

Present recommendations to the Governing Board, through the president of the University, concerning proposals that originate from the administrative boards and the academic senates and require action on behalf of the Board. In cases where the recommendation of the University Board includes changes to the original proposals, the Board shall present its recommendations to the Governing Board attached to the original proposals, clearly indicating the recommended changes. The president shall forward the proposals with recommendations and those of the University Board.

*Section 15.5 – Official documents of the Board**Section 15.5.1 – Submittal to the Governing Board*

The University Board shall send a copy of all its minutes, resolutions, and other official documents to the Office of the Secretary of the Governing Board.

Section 15.5.2 – Submittal to other bodies

The University Board shall send a copy of its resolutions to the administrative boards and academic senates of the various institutional units.

Section 15.6 – Official documents of the administrative boards and academic senates

All administrative boards and academic senates shall send a copy of their minutes, resolutions, and official documents to the University Board.

CHAPTER IV

INSTITUTIONAL UNITS

Article 16 – Internal Organization

The Governing Board shall determine the internal organization of the institutional units. No internal changes, modifications, or reorganizations shall be made in the schools, colleges, departments, or other subunits of the University without the express consent of the Board.

Article 17 – Deliberative Bodies

Each of the Río Piedras, Mayagüez, and Medical Sciences campuses, and of each of the institutional units of Aguadilla, Arecibo, Bayamón, Carolina, Cayey, Humacao, Ponce, and Utuado shall have an Administrative Board and an Academic Senate, the duties and responsibilities of which are established in the University of Puerto Rico Act and in Articles 21 and 22 of these Regulations.¹⁰

Article 18 – Internal Administration

Section 18.1 – Regulatory framework

The internal administration of the institutional units shall be governed by: the applicable provisions of law, these Regulations, the complementary general application rules, the resolutions adopted by the Governing Board, the directives issued by the president of the University, and the rules and regulations adopted by the administrative boards and academic senates within their respective areas of concern.

Section 18.2 – Administrative instructions

Each chancellor or director of an institutional unit shall issue the administrative instructions needed for the proper internal operation of the unit.

Section 18.3 – Application of these Regulations to units other than campuses

The provisions of these Regulations establishing duties, powers, responsibilities, or procedures applicable to certain bodies or officers at the different University campuses shall apply to bodies and officers with similar responsibilities at other institutional units, regardless of the job title, except when, in the context of those provisions or in any other provision of law or in these Regulations, the contrary is expressly intended.

¹⁰ **Note:** Cf. Board of Trustees Certification Nos. 152 (1997–98), 77 (1998–99), 111–119 (1999–2000).
[Continuación]

Article 19 – Chancellors*Section 19.1 – Nomination and appointment*

The chancellors shall be nominated by the president and appointed by the Governing Board, following the consultation process established herein and in keeping with Article 40.¹¹

Section 19.2 – Consultation for nomination

For the nomination of chancellors, the following consultation process shall be adopted:

Section 19.2.1 – Initiation of the process

Within the first ninety (90) days after a vacancy in the position of chancellor, the president shall notify the corresponding Senate the initiation of the consultation process, so the Senate may proceed to name a consultation committee within thirty (30) days following such notice.

Section 19.2.2 – Composition of the consultation committee

The consultation committee shall be composed of seven (7) members: six (6) elected academic senators and one (1) student senator. The elected academic senators shall elect, by secret ballot, the six (6) academic senators. The student senator shall be elected by secret ballot cast by the student senators in the Academic Senate.

Section 19.2.3 – Consultation committee of non-teaching staff

In an institutional unit where a nomination is pending, there shall be a consultation committee composed of members of the non-teaching staff. The president of the University shall establish the procedure for determining the composition and selection of the committee.

Section 19.2.4 – Period for submitting reports

The consultation committees shall have a maximum of sixty (60) days from the date they are assembled to submit their reports to the president of the University, unless, for just cause and at the request of the committee, the president grants an extension of fifteen (15) additional days.

Section 19.2.5 – Nomination period

Once the consultation committee reports have been received or the sixty (60) days established herein or any extension that may have been granted have expired, the president of the University shall submit their nomination to the Governing Board within the following twenty (20) days.

Section 19.2.6 – Direct consultation

If the Academic Senate does not assemble a consultation committee within thirty (30) days after receiving notice from the president, as provided in Section 19.2.1, the

¹¹ **Note:** Cf. CES Certifications Nos.144 (1982–83) & 113 (1990–91).

president may authorize a direct consultation process to take place during the sixty (60) days the committee would have had to submit its report, in accordance with provisions of Section 19.2.4.

Section 19.3 – Duties of the chancellors

The chancellors shall have the following duties and responsibilities, in addition to those arising from other provisions in these Regulations.

Section 19.3.1 – Guidance and supervision

Guide and supervise the university staff, as well as teaching, technical, research, and administrative functions.

Section 19.3.2 – Budget

Draw up the proposed budget based on the recommendations presented by the departments, colleges, and other units, which, after being approved by the Administrative Board, shall be submitted to the president and the University Board for the appropriate action.

Section 19.3.3 – Representation of the unit

Represent the respective institutional unit at academic events, ceremonies, and functions.

Section 19.3.4 – Chairmanship over deliberative bodies

Preside over the Academic Senate, the Administrative Board, and faculty meetings.

Section 19.3.5 – Power to appoint and hire under contract

Appoint and hire under contract staff and officers mentioned in Article 7 of the University of Puerto Rico Act.¹²

Section 19.3.6 – Appeals

Decide appeals filed against the decisions of the deans.

Section 19.3.7 – Annual reports

Provide the president and the Governing Board an annual report on the activities of their institutional unit.

Section 19.4 – Authority of the chancellors

The chancellors shall exercise the highest academic and administrative authority within the scope of their particular unit.

Section 19.5 – Monthly meetings with the president

The chancellors shall meet with the president at least once a month to discuss matters concerning the University System.

¹² **Note:** Cf. CES Certification No. 27 (1981–82).

Section 19.6 – Priority of University objectives

The duties and responsibilities conferred by law on the chancellors shall be exercised in such a manner that the teaching, technical, and administrative activities of their units are in keeping with University objectives.

Section 19.7 – Prior appointment required for faculty positions

Except under extraordinary or unforeseen circumstances, the chancellor must appoint faculty no less than one month before the date on which the appointment is to take effect.

Section 19.8 – Appointment of visiting professors

Whenever the chancellor intends to appoint a visiting professor, they shall inform the president at least two weeks before extending a formal invitation. The professor's curriculum vitae must be submitted with the proposal. The president shall coordinate with the other units of the University System so they may benefit from the professor's visit.¹³

Section 19.9 – Resolutions of the Administrative Board or the Academic Senate

The chancellor, exercising their duties as the highest academic and administrative authority of the unit, may include their own recommendations when forwarding resolutions of the Administrative Board and the Academic Senate to the president, the University Board, or the Governing Board.

Section 19.10 – Authority under Law No. 100 of 1956

The chancellors, in regard to their respective institutional units, shall exercise the authority bestowed on them or the University by virtue of Law No. 100 of June 27, 1956, which governs the services rendered by members of the University staff to other government agencies.

Section 19.11 – Temporary substitution of chancellors

If a chancellor should be absent for a period not exceeding thirty (30) days, they shall appoint an interim chancellor among the members of the Administrative Board whose original appointment has been approved by the Governing Board. If the absence should be more than thirty (30) days, the Board shall appoint an interim chancellor recommended by the president.

Article 20 – Deans and Directors of Subunits Located within Institutional Units*Section 20.1 – Consultation for nominations**Section 20.1.1 – Initiation of the process*

Within sixty (60) days after a vacancy in the position of dean or director of any academic subunit located within an institutional unit, the chancellor shall notify the Senate or the college, school, department, or subunit concerned of the initiation of the consultation process, so that it may proceed to assemble the consultation committee within the thirty

¹³ **Note:** Amended by CES Certification No. 178 (1987–88).

(30) following such notice. After thirty (30) days, the chancellor may initiate a direct consultation process if the committee has not been assembled.¹⁴

Section 20.1.2 – Notice to the academic senates

In case of the appointment of deans of units other than a college, the academic senate of the institutional unit shall be notified.

Section 20.1.2.1 – Composition of the consultation committee

Each academic senate in every institutional unit of the University System shall elect a consultation committee composed of six (6) academic senators selected by and from the academic senators elected and one (1) student senator selected by and from the student senators. The election shall be by secret ballot.

Section 20.1.3 – Appointments of deans of colleges

For the appointment of the dean of a college, the consultation committee shall be composed of seven (7) members: six (6) tenured faculty members, elected by secret ballot from among the members of the faculty, and one (1) student selected by the student representatives of the college by secret ballot. Associate deans, assistant deans, department chairs, or directors of other units or subunits cannot be members of this committee.

Section 20.1.3.1 – Colleges with less than twenty-five members

In a college with less than twenty-five (25) tenured faculty members, the appointing authority shall consult the members of the faculty directly; the students shall be consulted through the Student Council.

Section 20.1.3.2 – Appointment of the Dean of Agricultural Sciences of the Mayagüez Campus

For the appointment of Dean of Agricultural Sciences of the Mayagüez Campus, the consultation committee shall be composed of seven (7) members: two (2) members in representation of the Agricultural Sciences faculty, two (2) elected representatives of the Agricultural Experiment Station, two (2) elected representatives of the Agricultural Extension Service, and one (1) student selected from among the student representatives of the College of Agricultural Sciences. All members of the committee shall be elected by secret ballot.

Section 20.1.4 – Appointment of directors of schools, department chairs, and directors of libraries, research centers, and other similar subunits

For the appointment of deans of schools, department chairs, and directors of libraries, research centers, and other similar subunits of the institutional unit, the consultation committee shall be composed of five (5) members: four (4) tenured faculty members elected by secret ballot from among the members of the faculty of said subunits, and one (1) student elected following the procedure established by the chancellor.

¹⁴ **Note:** CES Certification Nos. 119 (1981–82), 82, 85 (1982–83), 153 (1985–86).

Section 20.1.4.1 – Subunits with fewer than twenty-five members

In a school, department, or academic subunit consisting of fewer than twenty-five (25) members, or where there are not enough tenured faculty available to constitute the committee, consultation shall be carried out directly with all its members, including the student representation established in the regulations of the school, department, or academic subunit.

Section 20.1.5 – Consultation committee for non-teaching staff affected by appointments

For each of the appointments under this article, the appointing authority must establish means to allow non-teaching staff affected by the appointment to express their opinion.

Section 20.1.6 – Period for submitting report

The consultation committees shall have a maximum of sixty (60) days from the date they are constituted to submit their report to the appointing authority. For just cause and at the request of the committee, the appointing authority may grant an extension of up to fifteen (15) additional days.

Section 20.1.7 – Appointment period

Once the consultation committee reports have been received or the period provided herein has expired, whichever occurs first, the appointing authority shall make the appointment within the following thirty (30) days, simultaneously notifying the president of the University and the Governing Board thereof. Appointments are subject to ratification by the Board. In exceptional cases, upon request of the appointing authority, the Board may extend this period up to a maximum of forty-five (45) days. Ratification by the Board is not required for appointments under Section 20.1.4 of these Regulations.

Section 20.1.8 – Period for ratification by the Governing Board

The chancellor shall notify each appointment under this article, except those under Section 20.1.4, to the president of the University. The president shall present an assessment of the appointment to the Governing Board within thirty (30) days after being notified.

The Governing Board, after hearing the opinion of the president of the University, shall ratify or reject the appointment within thirty (30) days after receiving the president's recommendation. The Governing Board may not ratify an appointment for dean without the endorsement of the president of the University.¹⁵

¹⁵ **Note:** Cf. Governing Board Certification No. 142 (2019-2020)

Article 21 – Academic Senates*Section 21.1 – Nature*

The Academic Senate is the official forum of the academic community. Therein, the faculty participate in the workings of the institution, cooperating and collaborating closely in the establishment of academic rules, within the jurisdictional limits established by law.¹⁶

Section 21.2 – Units where academic senates will exist

There shall be an academic senate for each of the Río Piedras, Mayagüez, and Medical Sciences campuses, for each of the other institutional units of the University System and, when the Governing Board so provides, for such autonomous institutional units as may be created in the future.¹⁷

Section 21.3 – Presiding officer

The Academic Senate shall be chaired by the chancellor of the respective institutional unit. If the chancellor is absent, or when deemed necessary, the dean of academic affairs of the institutional unit shall chair in their stead. If the dean of academic affairs is not available, the chancellor shall determine who will take their place.

*Section 21.4 – Composition**Section 21.4.1 – Campuses and other institutional units*

The academic senates shall be composed by the officers named in Section 11(B) of the University of Puerto Rico Act, representatives elected by the members of the respective faculty, and student representatives, as authorized in Section 21.4.8.¹⁸

Section 21.4.2 – The president of the University as ex-officio member

The president of the University shall be, *ex-officio*, a member of all the academic senates.

Section 21.4.3 – Other ex-officio members

The following also shall be *ex-officio* members of the Academic Senate: the chancellor, the deans, and the director of the library. In addition, when there is no elected representative from the group of professional counselors, social workers, and psychologists, a representative shall be elected from and by the directors of the counseling and guidance offices of the institutional unit. The latter shall be called by the dean of academic affairs.¹⁹

¹⁶ **Note:** Cf. CES Certification Nos. 2 (1976–77); 92 (1978–79); 24 & 46 (1979–90).

¹⁷ **Note:** Cf. CES Certification Nos. 93 (1983–84) & 14, (1997–98); Board of Trustees No. 110 (1998–99).

¹⁸ **Note:** Law No. 186 of August 7, 1998; Board of Trustees Certification Nos. 111, 112, 113, 114, 115, 117, 118, as amended; 119 (1998–99); 103 (1999–2000).

¹⁹ **Note:** Cf. Board of Trustees Certification No. 82 (1997–98).

Section 21.4.4 – Proportion of academic senators elected by the faculty

The proportion of academic senators to be elected by the faculty shall be at least twice that of the total number of *ex-officio* academic senators.

Section 21.4.5 – Minimum representation of each college or department of the campus or institutional unit, respectively.

Each college, in the case of the campuses, shall have at least two (2) academic senators. Each department in other institutional units shall have one (1) academic senator appointed by the department and ratified by the college, except when the number of faculty members of a department is so small that, in the opinion of the Governing Board, it warrants the consolidation of departments or colleges for the purposes of electing the academic senator.

Whenever it is necessary to add seats to keep the minimum proportion of no less than two (2) faculty-elected academic senators for every *ex-officio* senator, pursuant to Section 21.4.4 of these Regulations, the necessary amount of academic senators to keep said proportion shall be elected in plenary session by and from among the members of the faculty in accordance with the procedures established in the internal regulations of the faculty for the institutional unit concerned.²⁰

Section 21.4.6 – Professional librarians

In each Senate, there shall be an academic senator elected by and from the professional librarians of the institutional unit.

Section 21.4.7 – Professional counselors, social workers, and psychologists

In each Senate, there shall be an academic senator elected by and from the professional counselors, social workers, and psychologists of the institutional unit.²¹

Section 21.4.8 – Student senators

Student representation shall depend on the decision of the Governing Board, as established by certification.²²

Section 21.4.9 – Certification of each Senate by the Governing Board

The specific and particular composition of each academic senate shall be established by certification issued to that effect by the Governing Board.

Section 21.5 – Duties and prerogatives of the academic senates

²⁰ **Note:** Board of Trustees Certification No. 110 (1998–99).

²¹ **Note:** Cf. Board of Trustees Certification Nos. 148, as amended (1997–98); 82 (1997–98).

²² **Note:** Cf. Board of Trustees Certification Nos. 148, as amended (1997–98) and 82 (1997–98); CES Certification Nos. 103 (1973–74); 14 (1974–75); 97 (1986–87).

Section 21.5.1 – Duties under the University of Puerto Rico Act

Pursuant to the University of Puerto Rico Act, each academic senate shall have specifically, but not limited to, the duties stipulated therein. These duties shall be exercised in accordance with the policy applicable to the corresponding institutional unit.

Section 21.5.2 – Internal regulations

Each Senate shall establish, through internal regulations, the organization and procedures necessary for its operation, in keeping with the University of Puerto Rico Act and with these Regulations.

Section 21.5.3 – Unforeseen matters

Each academic senate may deliberate on and submit recommendations to the appropriate chancellor concerning any matter of institutional interest, whether or not specifically provided herein. The chancellor shall submit to the president of the University their own recommendations and those presented by the Senate. Where the president deems it is necessary for the Governing Board to decide a matter, the president shall submit the matter to this body with their own recommendations, as well as those of the Senate and the chancellor.

*Section 21.6 – Eligibility for election as academic senator**Section 21.6.1 – General rule*

Only those tenured members of the faculty on active service shall be eligible to be elected as academic senators. Faculty members on sabbatical may be eligible for terms that begin after the end of the sabbatical.²³ Assistant deans, deans of a school, department chairs, directors of programs or centers, and their assistants shall not be eligible. Nor shall *ex-officio* members of the Senate be eligible.²⁴

Section 21.6.2 – Medical Sciences Campus

Tenured members of the faculty and those with conditional tenure at the Medical Sciences Campus are eligible to be elected as academic senators.

*Section 21.7 – Procedure for the election of academic senators**Section 21.7.1 – Eligibility for voting**Section 21.7.1.1 – General rule*

The following shall have the right to vote: tenured faculty members on active service, all other professors under any type of appointment who are on active service and have in their charge at least seventy-five percent (75%) of the full academic workload, and emeritus professors.

²³ **Note:** Cf. Board of Trustees Certification No. 75 (2002–03).

²⁴ **Note:** Cf. Board of Trustees Certification Nos. 152 (1997–98) & 110 (1998–99).

Section 21.7.1.2 – Professors under a professional services contract

Professors working under a professional services contract and who, at the time of the voting, have in their charge at least seventy-five percent (75%) of the full academic workload shall have the right to vote after the first year of uninterrupted service.²⁵

Section 21.7.1.3 – Members of the agricultural extension programs, professional librarians, scientific researchers, professional counselors, social workers, and psychologists

Professional librarians, members of the agricultural extension programs, scientific researchers, professional counselors, social workers, and psychologists with faculty rank shall have the right to vote pursuant to the rules established in Sections 21.7.1.1 and 21.7.1.2.²⁶

Section 21.7.1.4 – Visiting professors

In no case shall visiting professors have the right to vote to elect academic senators.

Section 21.7.2 – Initiation of the election process

During the first week of March, the secretary of the respective academic senate shall notify the chancellor, the director of the Human Resources Office, and college deans (or department chairs for institutional units that do not have colleges), that the process for electing senators shall begin.

Section 21.7.3 – Dates for the faculty meetings

The chancellor of each institutional unit shall set the dates for faculty meetings. All faculty meetings to elect senators shall take place during the month of April.

Section 21.7.4 – Lists of eligible staff; preparation and initial circulation

The chancellor of each institutional unit shall be responsible for preparing and circulating in each college or department (in the case of institutional units that do not have colleges) the list of faculty members who are eligible to be candidates and those eligible to vote in the elections to the Senate. The dean of academic affairs of the campus or institutional unit shall be provided with the list of faculty not assigned to any college.

Section 21.7.5 – List of eligible staff; certification and final circulation

The dean of academic affairs of the campus shall examine the lists of eligible persons in coordination with corresponding deans. After making all pertinent corrections, the dean of academic affairs shall certify the members who are eligible as candidates or to vote. The same officer shall ascertain that the list of persons entitled to vote is published prior to the voting.

²⁵ **Note:** Cf. CES Certification No. 79 (1973–74).

²⁶ **Note:** Cf. Board of Trustees Certification No. 82 (1997–98).

[Continuación]

Section 21.7.6 – Procedure for faculty meetings

Pursuant to the provisions of Section 21.7.11 of these Regulations, the dean of each college, or the officer with analogous responsibilities in other units, shall call the meeting to nominate and elect the senators ten (10) days in advance. For these meetings, a majority of the faculty eligible to vote shall constitute quorum.²⁷

Section 21.7.7 – Nominations

The members of the faculty present at the meetings shall submit nominations freely. Following a properly seconded motion, nominations shall be closed. After nominations are closed, the dean shall designate a committee to count the votes.

Section 21.7.8 – Voting procedure

Voting shall be by secret ballot and by list.²⁸

Section 21.7.9 – Elected candidates

Those candidates with the most votes shall be declared elected, provided they obtain more than half of the votes cast, not including blank and spoiled ballots.

Section 21.7.10 – Elimination of candidates in successive elections

In the event that not all senators are elected in the first round of voting, a new election shall take place for those candidates who failed to obtain the required majority. For this second election, those candidates in excess of twice the number of positions to be filled and who obtained the least number of votes shall be eliminated. Whenever this rule is inapplicable because there are not more candidates than positions to be filled, the candidate with the least number of votes shall be eliminated. In any necessary subsequent election, the candidate who has obtained the least votes shall be eliminated until all candidates are elected by a majority of the votes cast.

Section 21.7.11 – Additional faculty meetings

When a college or department meeting to elect one or more academic senators cannot be held for lack of quorum or any justified reason, or when, in the meeting, not all senators are elected for the positions to be filled, the dean of the college or department chair shall notify the chancellor and call as many additional meetings as necessary to complete the election process, with no less than five (5) days nor more than ten (10) between meetings. The election process may be continued past the end of April (the month reserved for meetings to elect senators) by calling a maximum of two (2) additional meetings. In the last meeting, one-third ($\frac{1}{3}$) of the members of the college or department eligible vote for academic senators, as provided in Section 21.7.1, shall constitute quorum. After this process, any positions not filled shall remain vacant until the election period for the following year.²⁹

²⁷ **Note:** Cf. Board of Trustees Certification No. 43 (1994–95).

²⁸ **Note:** Cf. CES Certification No. 63 (1974–75).

²⁹ **Note:** Cf. Board of Trustees Certification No. 43 (1974–75).

Section 21.8 – Vacancies in the position of academic senators

Section 21.8.1 – General rule

The position of an academic senator automatically shall be considered vacant if the person who holds such position is suspended from employment, either with or without pay, if relieved entirely from their teaching duties, if appointed to any of the positions mentioned in Section 21.6.1, if granted any type of leave that entails being relieved from their teaching duties for the duration of one semester or more, if they retire, or in any other way cease to be an active member of the faculty of the institutional unit.

Section 21.8.2 – Elected academic senators appointed to positions by virtue of which they become ex-officio members

When an elected academic senator is appointed to a position that has a seat as an *ex-officio* member of the Senate, the person's seat by election shall remain vacant, and they shall proceed to fill the *ex-officio* seat.

Section 21.8.3 – Ex-officio academic senators

When an academic senator no longer holds the position with a seat as an *ex-officio* member of the Senate, the seat automatically shall remain vacant.

Section 21.8.4 – Election of new academic senators in the event of vacancies

Section 21.8.4.1 – Ex-officio seats

In the event of a vacancy in an *ex-officio* seat, it shall remain vacant until an interim or regular appointment is made to position in question.

Section 21.8.4.2 – Elected seats

Whenever a vacancy should occur in the position of an elected senator, it shall be filled according to the following procedures:

The Office of the Secretary of the Senate shall notify the dean or department chair concerned of the vacancy within five (5) days. The dean or chair shall proceed to request the official lists of voters and, once the requirements established herein have been met, shall call a faculty meeting to elect a substitute as early as possible. Said meeting shall take place no later than thirty (30) days after receiving notice of the vacancy. In instances of vacancies arising during the summer, the thirty (30) day period shall commence from the first day of the first semester of the following academic year. If the vacancy occurs during a recess or non-teaching period during the academic term, the thirty (30) day period shall commence on the day classes resume. The person elected shall fill the position for the term remaining for the previous incumbent. If a successor could not be elected during these thirty (30) days, the dean of the college or the department chair shall call an additional meeting no later than ten (10) days after the previous meeting.³⁰

³⁰ **Note:** Cf. Board of Trustees Certification No. 43 (1994–95).

Section 21.9. – Term of elected academic senators

Academic senators shall be elected for a three (3)-year term. Those academic senators previously elected in staggered terms shall retain their seats until their terms expire.

Section 21.9.1 – Expiration date of terms

The term of incumbency of elected academic senators expires on June 30 of the applicable year. Newly elected senators shall assume the office on the first meeting after said date, or at the first meeting after being elected, in the case of delayed elections. After the expiration of the term of an academic senator, their seat shall remain vacant until the successor assumes the seat.³¹

Section 21.9.2 – Limit on consecutive terms

No academic senator may be elected for more than two (2) consecutive terms. This does not include the fraction of the term served in substitution of a previous incumbent.

Section 21.10 – Student senators

The following shall be student senators in each academic senate: the president of the General Student Council of the campus or institutional unit and an additional number of students, to be determined by certification issued by the Governing Board establishing the composition of each Senate. If unable to attend a Senate meeting, the president of the General Student Council shall have the privilege of designating a person in their stead, who shall have the right to vote. The person designated must provide proper credentials of their charge.³²

Section 21.10.1 – Eligibility

Eligibility requirements for student senators in the Academic Senate shall be established by the University of Puerto Rico General Student Regulations, as adopted by the Governing Board.

Section 21.10.2 – Election procedures

The election of student senators shall take place simultaneously with the student council elections of each college or autonomous school. Nominations and elections must follow the rules and the procedure established for the nomination and election of candidates to the student council of a college or autonomous school, pursuant to Chapter 7 of the University of Puerto Rico General Student Regulations.

Section 21.10.3 – Term of the student senators

Student senators, with the exception of the president of the General Student Council, shall be elected for one (1) year and shall continue to hold office until their successors are elected and certified. The term of incumbency shall begin on the date the

³¹ **Note:** Cf. CES Certification No. 100 (1988–89).

³² **Note:** Amended by CES Certification No. 96 (1986–87).

[Continuación]

General Student Council takes office, or sixty (60) days after the start of the academic year, whichever occurs first.³³

Section 21.10.4 – Vacancies or unfilled positions

Section 21.10.4.1 – Causes

A student senate seat shall remain vacant when the incumbent: a) relinquishes the seat; b) is no longer a student at the corresponding campus or institutional unit; or c) is enrolled in less than six (6) credits, in the case of a graduate student, or less than nine (9) credits in the case of an undergraduate student.

Section 21.10.4.2 – Student Council authorized

When a vacancy occurs or a vacancy has not been filled sixty (60) days after the beginning academic year, the Student Council of the corresponding college is authorized to select one of its members to fill said vacancy until a new student senator is elected to fill the seat.

Section 21.10.4.3 – Student Council not constituted

Whenever the Student Council has not be constituted in a college, student representation shall be held by the student who has the highest grade-point average at the college, is willing to accept the seat, and has shown interest in student participation and University matters, the previous requirements must be ascertained to the satisfaction of the General Student Council, when it so has been assembled, or the caucus or student representative before the Academic Senate, or in the absence of all the above, to the satisfaction of the Academic Senate.

Section 21.10.4.4 – Certification by the Registrar

The Registrar of each institutional unit shall certify the students with the highest grade-point average and present said certification to the General Student Council and the secretary of the Academic Senate. The secretary of the Academic Senate shall contact the student with the highest grade-point average in writing via certified mail, informing said student of the right to hold the position of student representative in the senate. If the student declines to accept the honor or fails to respond to the letter within ten (10) days of the date of acknowledgment of receipt, the secretary shall contact the student with the second highest grade-point average, and so on, provided that by no means the student may have a grade-point average below 2.0.³⁴

Section 21.11 – Regular meetings of the Academic Senate

The Senate of each institutional unit shall meet in regular session at least once a month during the academic year.

³³ **Note:** Amended by CES Certification No. 96 (1986–87) and Erratum of May 8, 1987; Cf. CES Certification No. 95 (1981–82).

³⁴ **Note:** Amended by CES Certification No. 96 (1986–87); Cf. CES Certification No. 95 (1981–82).

Section 21.11.1 – Special meetings of the Academic Senate

The Senate shall meet in special session when the chancellor calls a meeting, by agreement of the Senate, or upon request of one-third of the elected senators. These meetings shall take place on the date requested or within a period no longer than fifteen (15) working days after the petition was received at the Office of the Secretary of the Senate, except when a specific date is requested beyond fifteen (15) working days, in which case the meeting shall take place no later than said date.

Section 21.11.2 – Quorum for senate meetings

Quorum for senate meetings shall be a majority of the senators shall constitute quorum for Senate meetings. Additionally, the majority of the members constituting quorum must be elected academic senators.

Section 21.11.3 – Open or closed meetings

The meetings of the Academic Senate generally shall be open to the members of the university community. Each academic senate, in its internal regulations, shall determine the method of complying with this provision. When the majority in attendance so decide, the Senate may hold closed meetings in exceptional situations when there is a threat of interruption of their work.³⁵

Section 21.11.4 – Resolutions of the Senate

As chair of the Academic Senate, the chancellor shall implement the decisions of the Academic Senate or refer them to the higher bodies and officers of the University, as the case may require.

Article 22 – Administrative Boards*Section 22.1 – Composition*

Every campus or institutional unit shall have an Administrative Board. The composition of boards of campuses and the other institutional units shall be as provided under Section 8 of the University of Puerto Rico Act, as amended.³⁶

Section 22.2 – Presiding officer

The chancellor shall preside over the Administrative Board of their institutional unit. In the absence of the chancellor, the Board shall be chaired by a member thereof designated by the chancellor.

Section 22.3 – Administrative services for senate representatives

Senate representatives before the Administrative Board shall be provided with the necessary administrative services and facilities to perform their duties.

³⁵ **Note:** Amended by CES Certification No. 15 (1987–88).

³⁶ **Note:** Cf. CES Certification Nos. 49 (1970–71); 180 (1985–86). *See*, Law No. 186 of August 7, 1998.

Section 22.4 – Internal regulations

The administrative boards shall establish, by internal regulations, the necessary structure and procedures for their operation, in accordance with the University of Puerto Rico Act and these Regulations.

Section 22.5 – Recommendations to relevant bodies

The administrative boards shall submit recommendations to university officers or bodies through the chancellors on matters within their scope of authority which either have been referred to them or matters which the Board deems it worth to express its opinion.

Section 22.6 – Relationship with the chancellor

In addition to the duties specified in the University of Puerto Rico Act, each Administrative Board shall act as consulting body for the chancellor and shall work together with the chancellor in executing the University program.

Article 23 – Faculty*Section 23.1 – Composition*

The faculty of each institutional unit shall be composed as provided in Section 9 of the University of Puerto Rico Act.

The faculty of each institutional unit shall be considered equivalent to that of a college, except the Río Piedras, Mayagüez and Medical Sciences.³⁷

Section 23.2 – Faculty participation

The academic senates, colleges, and departments shall be the bodies through which the faculty shall participate in the academic undertakings of the institution.

Section 23.3 – Direct participation

Direct participation of the faculty in the workings of the University shall take place at the level of the colleges, into which the faculty is, by law, divided, or at the department level in units with colleges.

Section 23.4 – Faculty representation

The faculty shall be represented by the academic senates of each institutional unit.

Section 23.5 – Consultations of the faculty or reports thereto by the chancellor

Chancellors may use their discretion in consulting the faculty of their units, whenever possible, by calling meetings, or otherwise by means of a referendum when the advice and opinion of the faculty is necessary for the proper operation of the institutional unit. Chancellors, likewise, shall have discretionary powers to assemble the faculty and submit reports thereto whenever necessary to promote the proper operation of the institutional unit.

³⁷ **Note:** Cf. CES Certification No. 2 (1976–77); Board of Trustees Certification No. 44 (1994–95).

Article 24 – Colleges*Section 24.1 – Academic unit composed of related disciplines*

Each college is an academic unit and shall consist of a dean and the faculty assigned to it, or of a dean and the faculty of a school that is not attached to the college, grouped together for the purposes of teaching a set of related advanced or professional disciplines. Whenever the context so indicates, the term “faculty” shall refer to the teaching staff assigned either to a college or to a school that is not attached to the college.

Section 24.2 – Faculty meetings

Regular faculty meetings shall take place once per semester, while special meetings may take place whenever necessary.

Section 24.2.1 – Eligibility to vote

The following shall have a right to vote: tenured faculty in active service; other faculty with any type of appointment, who, being in active service with at least seventy-five percent (75%) of the full academic workload, and the emeritus professors of the department.³⁸

Section 24.2.2 – Professors under a professional services contract

Professors assigned to a college or to its departments who are working under a professional services contract and, at the time of the voting, have in their charge at least seventy-five percent (75%) of the full academic workload shall be eligible to vote after the first year of uninterrupted service.³⁸

Section 24.2.3 – Quorum for faculty meetings

Notwithstanding Section 21.7.6 on meetings to elect senators, quorum for each faculty meeting shall be one-third of the members of the faculty of the college eligible to vote on the matters to be discussed in the meeting.

In the case of the School of Medicine of the Medical Sciences Campus, twenty-five percent (25%) of the faculty members shall constitute quorum.³⁹

Section 24.2.4 – Presiding officer at faculty meetings

Faculty meetings shall be chaired by the dean or by an officer appointed by the dean.

Section 24.2.5 – Attendance at faculty meetings

It is duty of all professors to attend all faculty meetings punctually.

Section 24.2.6 – Reports on the academic senates

At regular faculty meetings, it shall be duty of academic senators to submit oral or written reports on matters discussed and resolutions passed in the Academic Senate.

³⁸ **Note:** Cf. Board of Trustees Certification No. 59 (2003–04).

³⁹ **Note:** Cf. Board of Trustees Certification No. 151 (2000–01).

Section 24.3 – Internal rules and regulations

Each college shall adopt internal rules and regulations establishing the structures and procedures pertinent to the fulfillment of their its duties and responsibilities with the framework of the regulations of the institutional unit, these Regulations, and the University of Puerto Rico Act.

*Section 24.4 – Faculty personnel committee**Section 24.4.1 – Composition*

There shall be a college personnel committee composed of a representative of each departmental personnel committee (except for the School of Health Professionals, which shall be composed of three representatives from each departmental personnel committee) up to a maximum of three additional members selected by the dean from among the department chaird. The representative of each departmental committee shall be chosen by and from among its members.⁴⁰

Section 24.4.1.1 – Eligibility

Members of the faculty who are candidates for promotion may not participate as a member of the college personnel committee, except when it is indispensable for the departmental committee to be represented therein. Under these circumstances, said faculty member shall be required to abstain in any deliberations regarding their case or in any similar matter. Any member of the committee must also abstain when personnel actions are brought to discussion that entail a conflict of interests affecting them directly, such as: family or marital ties or participation in enterprises with common economic interests. When such a situation arises, said member may be replaced by another professor, pursuant to established procedures, for the duration of the discussion of the case in question or related matters. These provisions shall also apply to committee members appointed by the college dean.⁴¹

Section 24.4.2 – Duties

The college personnel committee shall counsel the dean on appointments, promotions, leaves, tenure, transfers, bonuses, and other personnel actions, based on the reports and recommendations presented by the personnel committees of the different departments. When the nature of the issue so requires, the college personnel committee may submit recommendations based on its own evaluations.

Section 24.5 – Roles and responsibilities of the colleges

⁴⁰ **Note:** Cf. CES Certification No. 76 (1982–83); Board of Trustees Certification No. 119 (2000–01).

⁴¹ **Note:** Cf. Board of Trustees Certification No. 45 (1994–95); Board of Trustees Certification No. 101 (2003–04).

Section 24.5.1 – New academic programs, extension projects, and continuing education

Propose academic programs, as well as continued education and extension projects, to the academic senates. Such programs and projects also shall be submitted to the Administrative Board to consider the financial impact before they are referred to higher authorities.

Section 24.5.2 – Proposal to the chancellor

Communicate to the chancellor their point of view regarding any matter related to the operation of the campus or the University System, so the chancellor may take them into consideration when before submitting their recommendations to the pertinent authorities.

Section. 24.5.3 – Fulfillment of objectives of the University

Issue resolutions to strengthen the efforts of the college, so as to fulfill more effectively the objectives for which the University was created.

Section 24.5.4 – Participation in consultation procedures

Participate in the consultation processes regarding budgetary issues and appointments, promotion, tenure and leaves for faculty members through the means established thereto.

Section 24.5.5 – Recommendation of candidates for University degrees

To recommend the names of candidates for University degrees from the respective college, prior to the date when degrees shall be granted.

Section 24.5.6 – Recommendations for the creation, elimination, or reorganization of a subunit

Recommend to the Academic Senate and submit to the respective higher authority, that it consider creating, eliminating, or reorganizing subunits or departments under their respective unit.

Section 24.5.7 – Recommendations for academic and honorary distinctions

Propose to the Academic Senate that the Governing Board grant academic and honorary distinctions following the appropriate procedure.

Section 24.5.8 – Election of academic senators

Elect their academic senators pursuant to these Regulations.

Article 25 – Organization, Duties and Powers of the Departments*Section 25.1 – Departmental organization*

The colleges shall maintain the departmental organization in place at the time these General Regulations are adopted. No department may be created, eliminated or reorganized without previous authorization by the Governing Board.⁴²

Section 25.2 – Composition

Each department shall consist of the faculty assigned thereto.

Section 25.3 – Department chair

Each department shall have a department chair.

Section 25.3.1 – Appointment

The chancellor shall appoint each department chair with the recommendation of the dean of the college. In the case of institutional units where no colleges exist, the department chair shall be appointed by the chancellor.

Section 25.3.2 – Consultation regarding appointments

Before presenting their recommendation to the chancellor or department chair, the dean must consult with the members of the department, pursuant to the general provisions regarding consultations established in Article 40 of these Regulations.

Section 25.3.3 – Duties and powers of the department chair

The department chair shall be the chief executive and administrative officer of the department. They shall preside over meetings and act as the official representative of the department before the faculty and other University authorities. They shall be in charge of directing the implementation of the agreements reached by the members of the department in their duly constituted meetings. They shall refer to the pertinent authorities those agreements when necessary. They shall be the *ex-officio* chair of all permanent departmental committees. The department chair also shall be a member of the personnel committee, and its chair shall be elected from among its members.⁴³

Section 25.3.4 – Duty of the department chair when their recommendation differs

In all instances where the recommendation of the department chair on any matter differs from that of the members of the department, or that of any committees they have counseled directly, the department chair must report the recommendations presented by the members of the department or of the committee when submitting recommendations to the appropriate authorities.

Section 25.4 – Meetings

Department meetings shall be held at least twice each semester.

⁴² **Note:** Cf. CES Certification No. 118 (1987–88).

⁴³ **Note:** Cf. Board of Trustees Certification No. 45 (1994–95) and CES Certification No. 118 (1987–88).

Section 25.4.1 – Eligibility to vote

The following are eligible to vote: tenured members of the department on active service, other faculty with any type of appointment who are members of the department and on active service with at least seventy-five percent (75%) of the full academic workload, and the emeritus professors of the department.³⁸

Section 25.4.2 – Professors under a professional services contract

Professors working under a professional services contract who are assigned to a department and, at the time of the voting, have in their charge at least seventy-five percent (75%) of the full academic workload shall be eligible to vote after the first year of uninterrupted service.

Section 25.4.3 – Quorum for meetings

One third of the total members of the department shall constitute quorum for meetings.

Section 25.5 – Collective powers of the members

The members of the department, in a meeting presided over by the department chair, may reach agreements and present recommendations to pursue most effectively departmental objectives, according to their discipline, consistent with the University of Puerto Rico Act and with these Regulations. These include the establishment of academic guidelines and the adoption of programs of study in the areas of specialization, options, and department majors to be considered by the respective faculty.

Section 25.6 – Committees

Working committees may be established in each department. These committees shall submit their reports and recommendations to the department chair or to the members of the department in a meeting pursuant to department or college regulations. The provisions of Section 25.9 shall apply to personnel committees.

Section 25.7 – General participation of members

The members of each department have a duty to participate in the election of their own committees, in the election of their representatives to the college or campus committees, in the consultation process for the appointment of the department chair, and in other procedures and activities within the scope of the department, all subject to the procedures established herein.

Section 25.8 – Participation of the members in college committees

When a member of a departmental committee is also a member of the equivalent body at the college or academic-unit level, said member shall speak for the departmental committee. If the seat for the department has already been filled, said member shall speak for the latter. If the professor in question has, in addition, a personal opinion to express, they may do so, indicating clearly that it is their personal position.

Section 25.9 – Personnel committee

Each department shall elect a personnel committee of no fewer than three (3) or more than seven (7) persons, composed of members with tenure and the academic rank of at least Associate Professor. The personnel committee shall advise the department chair on appointments, promotions, leaves, tenure, transfers, bonuses, and other personnel actions. If the committee cannot be constituted with at least three (3) members with tenure and the required academic rank, the remaining positions shall be filled by other members of the department with tenure even if of lesser rank, or, in absence thereof, with any other member of the department.⁴⁴

Section 25.9.1 – Participation of candidates for promotion

Members of the faculty who are candidates for promotion may not participate in the personnel committee at their department, except when participation is indispensable to assemble the committee. In such circumstances, they must abstain from participating in the deliberations of their case and in other similar matters. Any member of the committee must also abstain when personnel actions are brought to discussion that pose a conflict of interests affecting them directly, such as family or marital ties or participation in enterprises with common economic interests. When such a situation arises, the committee member may be replaced by another professor, pursuant to established procedures, for the duration of the discussion of the case in question or related matters.⁴⁵

Section 25.9.1.1 – Participation of department chairs who are candidates for promotion or tenure

Department chairs who are candidates for promotion or tenure may not participate in the evaluation their case. Neither may they intervene during personnel committee meetings when addressing similar matters. They must also abstain whenever a conflict of interests arises. These provisions shall not affect the remaining duties regarding evaluation and supervision that are inherent to the office.

Section 25.9.1.2 – Eligibility of deans, associate deans, and assistant deans

Deans, assistant deans, and associate deans shall not be eligible to participate in the departmental personnel committee. If a faculty member were appointed to any of the aforementioned positions during their incumbency as a member of the departmental personnel committee, they shall be replaced by a member elected according to the established procedure.⁴⁶

Section 25.9.2 – Small departments

Those departments that are too small to be able to elect a personnel committee that meets the requirements established in this section, the advisory duties shall fall to the

⁴⁴ **Note:** Cf. CES Certification Nos. 76 (1982–83) & 118 (1987–88); Board of Trustees Certification No. 115 (2000–01).

⁴⁵ **Note:** Cf. Board of Trustees Certification Nos. 45 (1994–95) & 101 (2003–04).

⁴⁶ **Note:** Cf. Board of Trustees Certification No. 45 (1994–95).

personnel committee of the college or academic unit concerned. Alternatively, departments in related disciplines may be consolidated to elect a joint personnel committee.

Article 26 – Personnel Committees in Autonomous Schools

Section 26.1 – Election

Each autonomous school not assigned to any college shall elect a personnel committee following the same guidelines established for the departments in Article 25; provided that, in the cases of schools that are too small to constitute a committee according to the established requirements, advisory duties may be carried out by a special committee of three (3) members, created at the level of the respective institutional unit. In those cases, the faculty of the school shall elect, by ballot, the members of the committee.

Section 26.1.1 – List of candidates eligible to participate in the special committee

Whenever it is necessary to elect a special committee of three (3) members, the Administrative Board of the institutional unit, at the request of the chancellor, shall submit to the faculty of the school a list of five (5) candidates chosen from among the faculty of the whole unit. This list must include those professors at the school with tenure and the required academic rank who are willing to accept the nomination.

CHAPTER V

PERSONNEL REGULATIONS

PROVISIONS APPLICABLE TO ALL STAFF

In the fulfillment of its substantive responsibilities, the University must design and maintain an administrative and operational system based on the principles of excellence in the performance of both its teaching duties and of the various related administrative and technical functions. To this end, University authorities have the responsibility of implementing rules, procedures, and approaches that motivate the most talented individuals in all trades and professions to offer their services to this high center of learning and remain dedicated to its service throughout their lives.

The guiding criterion for all University regulations and administrative actions regarding the selection, training, promotion, and retention of university staff must be based on merit. As a result, service to our University and, therefore, to the people of Puerto Rico, may equate to a career inspired by the noblest objectives that give life to our institution.

Opportunities to serve the University in all its manifestations are accessible to all who are willing and driven to collaborate with the institution in the attainment of its goals. To this end, and in order to advance the achievement of excellence, all processes of recruitment, selection, promotion, retention, and termination of university staff shall be based fundamentally on the relative abilities of the candidates, measured objectively, free of prejudice and discrimination based on race, color, sex, birth, age, physical or mental disabilities, national origin, social status, or political or religious beliefs.⁴⁷

Article 27 – Guarantee of Acquired Rights

The continued enjoyment of the rights acquired by university staff as of the date of approval of these Regulations is guaranteed, pursuant to applicable law.

Article 28 – Personnel Administration

Section 28.1 – Responsibilities of the president

Section 28.1.1 – Coordination of personnel matters

The president of the University of Puerto Rico, in their capacity as the head of the University System, shall coordinate the administration of all matters dealing with all staff within the System and shall oversee the administration is carried out in accordance with these Regulations and with the rules established by certification issued by the Governing Board.

⁴⁷ **Note:** Cf. CES Certification Nos. 172 (1982–83); 54 (1983–84); 101 (1984–85); 82 (1985–86); & 107 (1987–88). *See also*, HOPU: CES Certification No. 54 (1983–84).

Section 28.1.2 – Central Administration Staff

The president shall oversee the administration of matters pertaining to Central Administration staff, according to the University of Puerto Rico Act, these Regulations, and the applicable rules established by certification issued by the Governing Board.

Section 28.1.3 – Formulation of uniform procedures

The president, with the advice of the University Board and the technical staff the president may deem necessary, shall submit to the Governing Board for approval the appropriate uniform procedures to allow the integration of a University Personnel Centralized Administration System, in keeping with the merit principle.

*Section 28.2 – Office of Human Resources**Section 28.2.1 – Main purpose*

Central Administration shall have an Office of Human Resources whose principal function shall be to assist the president in fulfilling their responsibilities for the coordination and administration of university personnel matters. This office shall have the necessary technical, administrative, and advisory staff.

Section 28.2.2 – Duties and powers

The duties and powers of the Office of Human Resources are as follows:

Section 28.2.2.1 – Managing the Centralized Administration System

Manage the Centralized Administration System in close coordination with the human resources offices at the various institutional units.

Section 28.2.2.2 – Unassigned constituent units

Address personnel matters at those constituent units not assigned to any campus or institutional unit.

Section 28.2.2.3 – Survey and projects

Carry out those surveys and projects necessary to fulfill delegated tasks.

Section 28.2.2.4 – Advisory and technical assistance

Provide advisory and technical assistance to the human resources offices of the campuses and institutional units.

Section 28.2.2.5 – Unit reports

Request all reports and data from the campuses and other institutional units that are necessary to examine, monitor, and measure the effectiveness of the system and of the coordinating mechanisms, and reach administrative or fiscal decisions.

Section 28.3 – Human resources offices at the institutional units

The chancellors shall maintain offices to address personnel matters within their respective jurisdictions. These offices shall operate in coordination with the Central Office.

Article 29 – Recruitment of New Staff and Promotions within the System*Section 29.1 – The merit principle*

The University, through the various bodies at every level of the System, shall provide the necessary mechanisms so that the recruitment and promotion of university staff is effected on the basis of competition, taking into account the merits of the various candidates, resulting in the selection of the most qualified.

Section 29.2 – Procedure for filling vacancies

As a rule, vacancies shall be filled through promotions within the university personnel system. However, in order to promote the incorporation of new ideas and attitudes, efforts shall be made to recruit appropriately qualified people from outside the University System.

Section 29.3 – Job application forms

There shall be a standard application form to be used by all candidates for employment in the University. In filling out this form, each applicant shall include the necessary personal information and shall state the institutional unit where they wish to work.

Section 29.4 – Academic requirements and experience

All persons appointed shall possess the academic requirements and experience for the office or position and must demonstrate genuine interest in the fulfillment of the objectives of the institution.⁴⁸

Section 29.5 – Loyalty oath

All persons appointed by the University of Puerto Rico shall swear and sign a loyalty oath as required by the Constitution of the Commonwealth of Puerto Rico and by Law No. 14 of July 24, 1952, before assuming the office or position.

Section 29.6 – Child support

All natural persons hired by the University of Puerto Rico may not have outstanding child support payments, pursuant to the provisions of Section 30 of Law No. 86 of August 17, 1994.⁴⁹

Section 29.7 – Personnel file of each employee

A personnel file with the employment background and history as a government employee will be kept for each member of the university staff. All legally required precautionary measures shall be taken to guarantee the confidentiality of all personnel files. In cases of transfers from one unit to another within the same System, personnel files shall

⁴⁸ **Note:** Cf. CES Certification Nos. 105 (1978–79); 129 (1979–80); 159 (1985–86).

⁴⁹ **Note:** Cf. Board of Trustees Certification No. 21 (1996–97).

[Continuación]

be forwarded to the unit receiving the employee. When the transfer is to another branch of the government, a copy of the file shall be forwarded.⁵⁰

Section 29.8 – Evaluation reports

Whenever the evaluation of a member of university staff is mandatory, the results of this evaluation shall be set down in a written report. The person evaluated shall be formally notified with a copy of the report and shall have the opportunity to discuss its contents with the appointing authority or with the person designated by the appointing authority.

Article 30 – Types of Appointments

Article 30.1 – Appointing authorities

The appointing authorities at the University shall grant the following types of appointments, according to the particular circumstances of each case:

Section 30.1.1 – Permanent appointment

This appointment shall be granted to fill a regular position or office approved in the budget, after the incumbent has served their probationary period satisfactorily. The incumbent shall enjoy all the rights and protections provided herein.

Section 30.1.2 – Probationary appointment

This appointment shall be granted initially to fill a regular position or office approved in the budget and shall have a fixed term, as provided herein. During the period of appointment, the incumbent shall be on probation subject to evaluation at the end of the probationary period to determine whether they are entitled to retention with a permanent appointment.

Section 30.1.3 – Substitute appointment

This appointment shall be granted to university staff for a period of no more than twelve (12) months to fill temporarily a regular position or office approved in the budget, while the incumbent is on leave. This appointment should not be used as a preliminary step toward a probationary or permanent appointment, unless this is achieved through the regular procedure provided herein.

Section 30.1.4 – Special appointment

This appointment shall be granted to fill an office or a position paid for with funds from non-university sources, the continuity of which is not guaranteed. University authorities may take into account the experience acquired by employees with this type of appointment should they be appointed to regular positions.

Section 30.1.5 – Temporary appointment

This appointment shall be granted to fill a non-regular position or office approved for a fixed period not exceeding twelve (12) months to meet special service needs, such as

⁵⁰ **Note:** Cf. Board of Trustees Certification No. 21 (1996–97).

unforeseen and occasional increases in workload. This appointment should not be used as a preliminary step toward a probationary or permanent appointment, unless this is achieved through the regular procedure provided herein.

Section 30.1.6 – Ad honorem appointment

This appointment shall be granted to persons who, without being university employees, agree to render services to the University without receiving remuneration from the institution. The academic senate of each institutional unit shall adopt the rules governing these appointments for faculty positions in their unit. These rules shall clearly establish the special character of the relationship between these individuals and the University, including the scope of responsibility of the institution regarding the various benefits applicable to paid employees.

Section 30.1.7 – Part-time appointment

This appointment shall be granted for a fixed term to fill an office or a non-regular position that entails rendering services on a part-time basis, depending of the classification as faculty or non-teaching staff. Tenure is guaranteed to those University of Puerto Rico employees who, at the time these Regulations took effect, held part-time positions with permanent status.

Section 30.1.8 – Appointment as confidential employees

Confidential employees are university staff who have been extended an appointment in positions of trust, pursuant to Chapter VIII, Article 71 of these Regulations. Confidential employees may be appointed and terminated at the will of the appointing authorities. However, said staff shall retain those rights acquired by virtue of a previous regular appointment within the University System.

Section 30.1.9 – Joint appointment

Permanent, probationary, special, temporary, or ad honorem positions provided in the previous sections may be granted jointly among different colleges within the same institutional unit or among different institutional units.⁵¹

Section 30.2 – Term of temporary appointments

Temporary appointments shall have limited terms, sufficient to fulfill the purpose for which they are granted. These terms shall depend on factors, such as:

Section 30.2.1 – Faculty

Appointments granted to faculty shall not exceed four (4) years.

Section 30.2.2 – Non-teaching staff

Appointments of non-teaching staff shall not exceed twelve (12) months. If at the end of this term there is an evident need for the services of an employee, the appointment may be extended for up to six (6) additional months. If at the end of this additional period

⁵¹ **Note:** Amended by CES Certification No. 178 (1987–88).

the need for the services persists, the appropriate officer shall take action to create a new position. Once the position is created, it shall be filled according to the rules and procedures provided herein.

Section 30.3 – Requirements for non-regular appointments

Any person granted a substitute, special, temporary, ad honorem, or part-time appointment shall fulfill all the academic, experience, and aptitude requirements established for the position as if with a permanent or probationary appointment.

Article 31 – Equal Opportunities for All Staff

Section 31.1 – Prohibition of all discrimination

No appointing authority or any other officer shall discriminate against any member of the university staff or against a candidate for employment on the basis of race, color, sex, birth, age, physical or mental disability, national origin, social status, or political or religious beliefs.

Section 31.2 – Necessary affirmative actions

All University officials involved in the recruitment and selection of staff shall take the necessary affirmative actions to ensure the rules, requirements, notices, evaluations, aptitude tests, and any other type of assessment are not used to carry out any discriminatory actions prohibited in the preceding section in any process of recruitment, promotion, transfer, leaves, furloughs, remuneration, extraordinary compensation, or training of university staff.

Section 31.3 – Notice of non-discrimination regulations

Notices clearly expressing these University Regulations on basic human equality shall be posted in all university facilities, in visible locations accessible to all employees and candidates for employment. The president shall be responsible for drafting such notices. The aforementioned regulations shall be included in all notices of vacancies and in all appointments granted.

Article 32 – Extracurricular Activities at the University

Section 32.1 – Freedom of expression and association, and institutional order

University staff shall have the right to free expression, association and assembly, and the right to formulate petitions, sponsor and celebrate activities of any kind in accordance with the University of Puerto Rico Act and University Regulations, provided they do not conflict with other legitimate activities and do not interrupt the work of the institution or break the rules established to keep order, maintain safety, permit the continuity of institutional tasks, and uphold the standards of respect proper to the university setting. Extracurricular activities within the University shall take place freely and responsibly.

Section 32.2 – Notice to the chancellor and prior authorization

The use any university facility for the celebration of events, meetings, or ceremonies requires prior notice and authorization from the chancellor or their designated officer.

Section 32.2.1 – Criteria for granting or denying authorization

The chancellor or the designated officer shall grant authorizations freely, making sure no complications arise, such as the celebration of more than one activity in the same place, at the same time and on the same date or in a manner that interferes with university functions.

Section 32.3 – Responsibility of the sponsors

Sponsors of any activity, meeting, or ceremony shall be responsible for the means of announcing such activities and shall adopt measures to maintain order and safety during such activities, so as not to interfere with teaching and administrative work or disrupt the institutional order, without this constituting prior restraint.

Section 32.4 – Rules applicable to the extracurricular activities authorized in this Article

For the purposes of harmonizing the exercise of the rights described in this Article with the particular demands of institutional order and the respect for the rights of other members of the university community, participants in extracurricular activities, including pickets, marches, meetings, and other manner of protests, shall abide by the rules listed below. Violations of these rules will result in the appropriate disciplinary actions.

Section 32.4.1 – Interruption or disruption of regular tasks or other acts

The regular tasks of the University, as well as duly authorized activities or events held in university facilities shall not be interrupted, obstructed or disrupted.

Section 32.4.2 – Coercion or use of violence

Activities mentioned herein must not involve coercion of others nor shall they resort to or incite to violence of any kind.

Section 32.4.3 – Language

Obscene, indecent, or lewd language shall not be used.

Section 32.4.4 – Damage to property

University or private property shall not be damaged, nor shall others be incited to do so.

Section 32.4.5 – Entrance to and exit from facilities

At no time may access to and exit from university facilities, its classrooms, or its buildings be obstructed.

Section 32.4.6 – Vehicular traffic

Traffic flow within university facilities shall not be obstructed or interrupted.

Section 32.4.7 – Use of amplifiers

No loudspeakers, amplifiers, or any other volume-boosting instrument shall be used, aside from those required in classrooms or lecture halls, without prior written authorization from the corresponding or designated official, in accordance with the rules each unit shall adopt to such ends. In all instances, this equipment shall be used in such a manner as not to constitute a violation of the rules provided herein.

Section 32.4.8 – Picketing and protests inside buildings

No picketing or marching may take place in any university building.

Section 32.4.9 – Proximity to classrooms or offices

All protests, meetings, and pickets for which prior notice has been given or those that take place spontaneously must be conducted at a distance of no less than 250 meters from the nearest classroom or administrative office. The president or the chancellor may designate a specific location within university facilities where these activities may take place. No prior notice to the chancellor or the designated officer is required when such activities are held at the specified location.

Section 32.4.9.1 – Special situations

At those university facilities where the physical configuration of the grounds and buildings prevents compliance with the previous provision regarding the minimum distance of 250 meters from the nearest classroom or administrative office where activities may be held, the president or the chancellor may adopt a different minimum distance that is reasonably sufficient to comply with the purposes of these Regulations.

Section 32.4.10 – Temporary suspension of the rights acknowledged in this Article

In the event of a clear and imminent danger that the exercise of the rights recognized in this Article will result in a real and substantial interruption, obstruction or disruption of the regular university tasks or of other legitimate university functions taking place in university facilities, the chancellor may temporarily suspend such rights in their respective learning centers in writing stating the grounds for said decision. The president of the University shall have the same right regarding the University System as a whole. Whenever the power hereby granted to university officers is exercised, this suspension may not exceed thirty (30) days, unless the Governing Board authorizes an extension for a longer period.

Article 33 – Individual Public Expression

All members of the faculty or non-teaching staff shall ensure that any individual public expression is not understood as an official statement on behalf of the University or any of its constituent units, except where the person was officially authorized to represent the institution. In such cases, these statements shall not exceed the limits of the authorization granted.

Article 34 –Holidays and Free Days*Section 34.1 – Holidays*

Holidays shall be all days legally declared as such by the Legislative Assembly of the Commonwealth of Puerto Rico or by the United States Congress.

Section 34.1.1 – Holidays that fall on a Sunday

Holidays that fall on a Sunday shall be observed the following Monday.

Section 34.2 – Free days

Free days are those days or fractions thereof so proclaimed by the governor of Puerto Rico or the president of the United States for government employees. Those decreed as such by the Governing Board or by the president of the University shall also be free days.

Section 34.3 – Attendance on holidays or free days

Nothing stated herein shall affect the power of the chancellor of the various institutional units to require any one employee, group of employees, or the entire staff report to work when the conditions of service warrant it. The aforementioned shall receive compensation according to the rules regarding working hours and leaves established for the University System.

Section 34.4 – Irregular workweeks

When, to satisfy service needs, a workweek is established with rest days falling on days other than Saturday or Sunday, and the second rest day falls on a holiday, the employee shall have the right to a free day on the day following the holiday. If the employee is not granted a free day on the day following the holiday, they shall be entitled to receive compensation according to applicable rules.

Article 35 – Disciplinary Proceedings*Section 35.1 – General provisions**Section 35.1.1 – Goals for employee relations*

The appointing authorities and the supervising officers at all levels of the university hierarchy shall take positive steps to achieve an institutional climate of harmony, respect, and fellowship in which the mutual relations among university staff in all classifications may develop.

Section 35.1.2 – Complaint procedures

The president shall outline the procedures herein required to appropriately address complaints or grievances that may arise against members of the university staff. The president shall also establish the procedure for the rehabilitation or reinstatement of any employee who has been dismissed.⁵²

⁵² **Note:** Cf. CES Certification No. 44 (1984–85).

Section 35.1.3 – Fundamental purpose of disciplinary actions

Whenever an appointing authority considers imposing disciplinary measures on any member of the university staff, they must bear in mind that the fundamental purpose of a disciplinary proceeding is corrective, to the extent possible, in keeping with the best interests of the institution.

Section 35.1.4 – Promptness and firmness of disciplinary proceedings

Any action that results in the breakdown of institutional order, proper administration, or the good name of the University shall be subject to prompt and firm disciplinary action, pursuant to the applicable procedure.

Section 35.1.5 – Investigation of the facts

Whenever a member of the university staff conducts themselves in such a manner that may result in disciplinary actions, an investigation of the case shall be initiated promptly to determine the veracity of the alleged behavior or facts and any possible mitigating or aggravating circumstances.

Section 35.1.6 – Due process of law

In every case in which a disciplinary action may adversely affect the financial situation or the reputation of a member of the university staff, the following minimum due process guarantees shall be offered: detailed statement of the charges; opportunity to be heard and confront the evidence against them; opportunity to present evidence in their favor, and a written report with finding of facts, a copy of which shall be provided to the employee. In cases under Section 35.2.11 of these Regulations, the provisions of Section 208 of the Political Code of Puerto Rico (3 LPR § 556) shall apply.

Section 35.2 – Conduct subject to disciplinary actions

The appointing authorities may take disciplinary actions against members of the university staff for any of the following reasons:

Section 35.2.1 – Professional incompetence or nonperformance of the duties of the office or position, including the deliberate reduction in productivity or work output.

Section 35.2.2 – Unjustified absence or abandonment of employment.

Section 35.2.3 – Lack of intellectual integrity, in the form of plagiarism or fraud.

Section 35.2.4 – Painting, printing on, vandalizing, or defacing University of Puerto Rico walls, columns, floors, ceilings, windows, doors, or stairs of buildings or structures with signs, posters, symbols, notices, stains, scratches, or other markings, drawings, or writing. The aforementioned shall apply equally to statues, pedestals, benches, fences, and other structures within the University of Puerto Rico.

Section 35.2.5 – Interruption, obstruction, or disturbance of the regular university tasks and duties or of the legitimate activities of the institution occurring within or outside university grounds.

Section 35.2.6 – Acts of assault perpetrated against members of the university community.

Section 35.2.7 – Insubordination or lack of discipline.

Section 35.2.8 – Acts that constitute immoral behavior, according to the standards of moral responsibility that prevail in the community.

Section 35.2.9 – Malicious acts that cause damage or destruction to university property, or to private property of individuals within university grounds.

Section 35.2.10 – Participation in acts that required prior notice and which had not been authorized by the corresponding university officers, pursuant to Article 36 of these Regulations, within the grounds of any university campus, institutional unit, or subunits.

Section 35.2.11 – Felony conviction.

Section 35.2.12 – Malicious alteration or falsification of grades, files, cards, or other official documents issued by the University of Puerto Rico, by another university, or by the government, with the purpose of passing them along as genuine and true in order to benefit therefrom in any institutional unit, or for any other illegal purpose. Any act of passing or circulating as genuine any document known to them to be false or to have been altered shall equally be subject to disciplinary actions.

Section 35.2.13 – Publication or dissemination of pornographic or libelous material or content that fails to meet the standards of expression and responsibility proper to the University.

Section 35.2.14 – Perpetration of any obscene, indecent, or lewd act.

Section 35.2.15 – The use of obscene, indecent, or violent language within university facilities and grounds that, given the character and temperament Puerto Ricans, would constitute sufficient provocation of an ordinary citizen and commonly produces violence or disturbance of the peace.

Section 35.2.16 – Filing complaints based on charges known to be false, with the intention of harming the respondent.

Section 35.2.17 – Theft or illegal possession of property belonging to the University of Puerto Rico, or private property belonging to others within university grounds governed by these Regulations.

Section 35.2.18 – Conduct that constitutes a criminal offense under the laws of the Commonwealth of Puerto Rico and is detrimental to the good name of the University.

Section 35.2.19 – Violation of the University of Puerto Rico Act, the provisions of these Regulations, and other university rules.

Section 35.3 – Disciplinary sanctions

The following are disciplinary sanctions that may be applied to an employee and shall appear in their official files:

Section 35.3.1 – Verbal warning.

Section 35.3.2 – Written warning.

Section 35.3.3 – Suspension of employment without pay for a definite period not to exceeding six (6) months.⁵³

Section 35.3.4 – Dismissal, with the consequent disqualification to serve the University, unless formally found rehabilitated, in accordance with the provisions established to that effect.⁵⁴

Article 36 – Resignations

Section 36.1 – Submitting a resignation

Any member of the university staff who wishes to resign from their office or position may do so in writing by means of a letter addressed to the appropriate appointing authority.

Section 36.2 – When to submit a resignation

Section 36.2.1 – Faculty

Members of the faculty shall submit their resignations effective at the end of an academic term with no less than forty-five (45) days notice, unless exceptional circumstances warrant submitting a resignation effective at other times of the year.⁵⁵

Section 36.2.2 – Non-teaching staff

Members of the non-teaching staff shall submit their resignations with at least thirty (30) days notice.

Section 36.2.3 – Acceptance on shorter notice

The appropriate appointing authority may accept resignations effective within a shorter term or at a different time of the year than indicated in the two previous sections, when circumstances so warrant it.

Section 36.3 – Manner of accepting or rejecting resignations

The appointing authority shall provide written notice of the decision to accept or reject a letter of resignation within thirty (30) days after its receipt. Acceptance of a resignation may be left in abeyance for a maximum of thirty (30) additional days when there are valid reasons for initiating an investigation into the conduct of the officer or employee to determine whether there are grounds to file charges. Upon the expiration of the thirty (30) additional days, either charges must be filed or the resignation must be accepted.

⁵³ **Note:** CES Certification No. 121 (1987–88).

⁵⁴ **Note:** Cf. CES Certification Nos. 64 & 193 (1985–86).

⁵⁵ **Note:** CES Certification No. 160 (1983–84).

Section 36.4 – Institutional interest

Whether or not the advanced notice requirement is met, university staff shall take into account the adverse effect their actions may have at any given time on the performance of the program where the employee has been assigned before submitting a letter of resignation.

CHAPTER VI

PERSONNEL REGULATIONS PROVISIONS FOR APPOINTING THE VARIOUS OFFICERS AND EMPLOYEES IN THE UNIVERSITY SYSTEM

Article 37 – Appointing Authorities

Within the University System, the power to appoint shall belong to the Governing Board, the president of the University, and the chancellors, pursuant to this chapter.

Section 37.1 – Governing Board

Section 37.1.1 – Direct appointment

The Governing Board shall appoint the president of the University directly. It shall also appoint all staff to its own offices.

Section 37.1.2 – Appointments on recommendation of the president of the University

The Governing Board shall appoint all chancellors on the recommendation of the president of the University.⁵⁶

Section 37.1.3 – Appointments requiring consultation

The Governing Board shall appoint the director and deputy director of the University Retirement System in consultation with the Retirement Board.

Section 37.1.4 – Approval of appointments

The Governing Board must approve the following appointments: the director of the Central Administration Finance Office, three officers of the University System to form part of the University Board, the deans, the director of the Agricultural Extension Service, and the director of the Agricultural Experimental Station.

Section 37.1.5 – Service at the will of the Governing Board

The president of the University, as well as the officers listed in Sections 37.1.1 through 37.1.3, shall render their services at the will of the Governing Board.

Section 37.1.6 – Periodic evaluations

The Governing Board shall evaluate the performance of each of the officers mentioned in Section 37.1.5 periodically, at intervals of no less than four (4) years and no more than six (6) years.

Section 37.2 – President of the University

⁵⁶ **Note:** CES Certification No. 144 (1982–83).

Section 37.2.1 – Appointments without the intervention of the Governing Board

The president, without any intervention by the Governing Board, shall appoint the Central Administration staff and shall recruit under contract the experts, advisors, and technicians necessary to carry out the responsibilities of the office of president.

Section 37.2.2 – Appointments subject to approval of the Governing Board

The president shall appoint, subject to approval of the Governing Board, the Central Administration finance director and three officials from the University System to form part of the University Board.

Section 37.2.3 – Appointment submitted to the Governing Board

The president, subject to the consultation procedures provided herein, shall submit to the Governing Board the nominations for chancellor of each campus and other institutional units.

Section 37.3 – Chancellors

Chancellors shall appoint the following staff for their respective units, subject to the consultation procedures provided in the University of Puerto Rico Act, these Regulations, and the conditions hereby established.

Section 37.3.1 – Appointment of deans

The chancellors shall appoint the deans, whether or not they preside over colleges, subject to the approval of the Governing Board. The respective chancellor shall notify their appointments to the president of the University and the Governing Board. The president shall inform the Governing Board of their opinion regarding the appointments within thirty (30) days of the notice. The Governing Board, after hearing the opinion of the president of the University, shall ratify or reject the appointment within thirty (30) days after receiving the president's recommendation. The Governing Board may not ratify an appointment for dean without the support of the president of the University.⁵⁷

Section 37.3.1.1 – Qualifications of deans of a college

To be appointed to the office of dean of a college (permanent or interim appointment), the person must meet the following criteria:

- a. Be included in the list of candidates recommended by the college, unless the college has exercised its right to take no part in the consultation process.
- b. Be presently or have previously been a faculty member with a permanent position at the University of Puerto Rico or at an accredited university.
- c. Provide an updated curriculum vitae and a work plan that shows commitment to the college and the institution.

⁵⁷ **Note:** Cf. Governing Board Certification No. 118 (2021-2022).

- d. Have a minimum academic rank of Associate Professor and preferably have a doctorate or terminal degree in the discipline related to the college to be chaired.
- e. Have demonstrated a professional track record of leadership, ability to assume the position, and standards of professional ethics. To this end, the opinion of the university community may be taken into account.⁵⁸

Section 37.3.1.2 – Qualifications of deans of units other than a college

To be appointed to the position of dean of students, of administration, or of academic affairs (permanent or interim appointment), the person must meet the following criteria:

- a. Provide an updated curriculum vitae and a work plan that shows commitment to the college and the institution.
- b. Possess a master's degree, at a minimum. In the case of dean of academic affairs, a doctorate or terminal degree is required.
- c. Have demonstrated a professional track record of leadership, ability to assume the position, and standards of professional ethics. To this end, the opinion of the university community may be taken into account.
- d. Upon receiving comments from the university community, the chancellor will forward their recommendation to the Office of the President of the University of Puerto Rico, and the president will forward them to the Governing Board for evaluation.⁵⁹

Section 37.3.2 – Appointment of directors of constituent academic units other than colleges

The chancellors shall appoint, within their respective units, directors of constituent academic units that are not attached to a college after consulting the members of the corresponding unit.

Section 37.3.3 – Appointment of department chairs and other constituent units attached to a college

The chancellors shall appoint department chairs and directors of other constituent units attached to a college after taking into consideration the recommendation of the dean of the college, who previously shall have consulted the departments or units, following the procedure established in Articles 20, 25 and 40 of these Regulations.

⁵⁸ **Note:** Cf. Governing Board Certification No. 87 (2020-2021).

⁵⁹ **Note:** Cf. Governing Board Certification No. 87 (2020-2021).

Section 37.3.3.1 – Qualifications of department chairs and other constituent units attached to a college

To be appointed to the position department chair or director of a constituent unit attached to a college (permanent or interim appointment), the person must meet the following criteria:

- a. Be included in the list of candidates recommended by the college, unless the college has exercised its right to take no part in the consultation process.
- b. Be presently or have previously been a faculty member with a permanent position at the University of Puerto Rico or at an accredited university.
- c. Provide an updated curriculum vitae and a work plan that shows commitment to the college and the institution.
- d. Possess at least a master's degree in the discipline related to the college to be chaired.
- e. Have demonstrated a professional track record of leadership, ability to assume the position, and standards of professional ethics. To this end, the opinion of the university community may be taken into account.
- f. If no member of the department faculty is able to assume the position of chair or director, a member of the faculty of a related department may be considered for the position.⁶⁰

Section 37.3.4 – Appointment of university staff in their respective units

The chancellors shall appoint the university staff in their respective units after considering the recommendations presented by the dean of the college or the director of constituent academic or administrative units that are not attached to a college. In the case of teaching positions, faculty shall be consulted previously regarding faculty appointments through committees or other bodies established herein.

Section 37.3.5 – Interim appointments

Chancellors shall appoint interim staff to fill positions mentioned in the preceding sections until the procedure for a permanent appointment is completed.

Section 37.3.6 – Appointment of visiting professors

Chancellors shall appoint visiting professors in consultation with of the departments concerned.⁶¹

Section 37.4 – Chancellor of the Mayagüez Campus

In addition to the authority to appoint staff granted in Section 37.3, the chancellor of the Mayagüez campus shall have the authority to appoint the directors of the Agricultural Extension Service and the Agricultural Experimental Station in consultation with the staff

⁶⁰ **Note:** Cf. Governing Board Certification No. 87 (2020-2021).

⁶¹ **Note:** CES Certification No. 178 (1987–88).

of said constituent units, subject to the approval of the Governing Board. The same procedure to appoint deans shall apply to these cases. In addition, the provisions contained in the existing agreements between the United States Department of Agriculture and the University shall be complied with.

Article 38 – Authority of the Chancellors and of the President under Law No. 100

Within their respective institutional unit, each chancellor shall have the authority conferred to the former Office of Chancellor of the University of Puerto Rico by virtue of Law No. 100 of June 27, 1956.

Article 39 – Evaluation of Staff in Positions of Trust

Section 39.1 – Evaluation by chancellors

Each chancellor shall evaluate the performance of confidential employees appointed to their institutional unit rendering services at the pleasure of the chancellor.

Section 39.2 – Evaluations by the president

The president shall evaluate all confidential employees who serve at the pleasure of the president.

Section 39.3 – Frequency of and elements for evaluation

The evaluation of confidential employees shall be conducted at intervals of no less than three (3) years and no more than five (5) years. Among other elements, the work achieved and the degree of compliance with applicable laws, university regulations, and directives of the Governing Board shall be taken into account.

Article 40 – Provisions Applicable to All Consultation Processes Regarding Appointments

The consultation process shall be governed by the following general principles and provisions in all cases in which a consultation process is established herein or under the University of Puerto Rico Act for the nomination of candidates for certain university positions:

Section 40.1 – Initiating officer

The process shall be initiated by the appointing authority.

Section 40.2 – Guidance of the appointing authority

It is in the interest of the appointing authority to receive and benefit from the guidance, counsel, and suggestions from the body or persons consulted.

Section 40.3 – Not an election

These processes shall not constitute an election. Therefore, the number of persons consulted in favor of a candidate compared with those favoring another shall not be a determining factor.

Section 40.4 – Open consideration of candidates

Consideration of potential candidates shall be open. Candidates are not required to be a part of the University of Puerto Rico or of any given college or department.

Section 40.5 – Factors to be considered

Both the consulting officers and the persons consulted shall take into account, among other factors, the characteristics and responsibilities of the positions, the qualities desirable in the person who shall fill the position, including the candidates' academic preparation, experience and possibilities of successfully carrying out the duties of the office.

Section 40.6 – Consultation report

A consultation report shall be submitted to corresponding officers including all the information obtained by the body consulted.

Section 40.7 – Results of the consultation

The result of the consultation shall not be made public until the appropriate officer or body makes the appointment in question.

Section 40.8 – Consultation periods

Whenever a period of time is set for the initiation of a consultation process or for the submittal of a consultation committee report, only those days that fall within the regular academic term shall be counted. Summer or winter breaks shall not be counted.

CHAPTER VII

PERSONNEL REGULATIONS

PROVISIONS APPLICABLE TO FACULTY

Article 41 – Faculty Categories and Ranks

The following categories and ranks for faculty at the University of Puerto Rico are established. Any change to the structure of categories and ranks, as well as the rules for their application, shall be made through amendment to this Regulation.⁶²

Section 41.1 – Professors

The following ranks shall apply to professors:

- Section 41.1.1 – Instructor (entry level)*
- Section 41.1.2 – Assistant Professor*
- Section 45.1.3 – Associate Professor*
- Section 41.1.4 – Full Professor*

Section 41.2 – Researchers⁶³

The following ranks shall apply to researchers:

- Section 41.2.1 – Adjunct Researcher (entry level)*
- Section 41.2.2 – Assistant Researcher*
- Section 41.2.3 – Associate Researcher*
- Section 41.2.4 – Researcher*

Section 41.3 – Extensionists⁶⁴

The following ranks shall apply to extension specialists:

- Section 41.3.1 – Adjunct Extensionist (entry level)*
- Section 41.3.2 – Assistant Extensionist*
- Section 41.3.3 – Associate Extensionist*
- Section 41.3.4 – Extensionist*

Section 41.4 – Agricultural Extension Officer

The following ranks shall apply to agricultural extension officers:

- Section 41.4.1 – Adjunct Agricultural Extension Officer (entry level)*
- Section 41.4.2 – Assistant Agricultural Extension Officer*
- Section 41.4.3 – Associate Agricultural Extension Officer*

⁶² **Note:** CES Certification No. 46 (1989–90).

⁶³ To each rank in the category of researcher or extensionist, the proper specialty will be added.

⁶⁴ To each rank in the category of extensionist, the proper specialty will be added.

Section 41.4.4 – Agricultural Extension Officer

Section 41.5 – Family and Consumer Sciences Extension Educator

The following ranks shall apply to family and consumer sciences extension educators:

Section 41.5.1 – Adjunct Family and Consumer Sciences Extension Educator (entry level)

Section 41.5.2 – Assistant Family and Consumer Sciences Extension Educator

Section 41.5.3 – Associate Family and Consumer Sciences Extension Educator

Section 41.5.4 – Family and Consumer Sciences Extension Educator⁶⁵

Section 41.6 – Professional Librarians

The following ranks shall apply to professional librarians:

Section 41.6.1 – Librarian I (entry level)

Section 41.6.2 – Librarian II

Section 41.6.3 – Librarian III

Section 41.6.4 – Librarian IV⁶⁶

Section 41.7 – Professional Counselors

The following ranks shall apply to professional counselors:⁶⁷

Section 41.7.1 – Counselor I

Section 41.7.2 – Counselor II

Section 41.7.3 – Counselor III

Section 41.7.4 – Counselor IV

Section 41.8 – Social Workers

The following ranks shall apply to social workers:⁶⁸

Section 41.8.1 – Social Worker I

Section 41.8.2 – Social Worker II

Section 41.8.3 – Social Worker III

Section 41.8.4 – Social Worker IV

Section 41.9 – Psychologists

The following ranks shall apply to psychologists:

⁶⁵ **Note:** Cf. Governing Board Certification No. 35 (2016-2017).

⁶⁶ **Note:** CES Certification No. 42 (1975–76).

⁶⁷ **Note:** Cf. Board of Trustees Certification Nos. 75, 82, 110 (1998–99); Law No. 128 of August 12, 1996.

⁶⁸ **Note:** Cf. Board of Trustees Certification Nos. 75, 82, 110 (1998–99); Law No. 128 of August 12, 1996.

- Section 41.9.1 – Psychologist I*
- Section 41.9.2 – Psychologist II*
- Section 41.9.3 – Psychologist III*
- Section 41.9.4 – Psychologist IV*

Article 42 – Requirements for Recruitment to a Faculty Position

Section 42.1 – General rules⁶⁹

The following requirements must be met by all persons assuming any category or rank relating to a faculty position:

Section 42.1.1 – Degrees or titles recognized, obtained at a renowned institution

For all categories and ranks relating to a faculty position, the person must have obtained all academic degrees or equivalent titles at an institution of higher education renowned in the related field of study and recognized by the University of Puerto Rico.

Section 42.1.2 – Degree or title required for the categories and ranks of professor and researcher (Sections 41.1 and 41.2)

(a) As of Fiscal Year 2006-2007, to qualify for a position as professor or researcher or to hold a rank in said categories, the person must have obtained at least a doctoral degree or the equivalent terminal degree in the areas that particularly qualifies them to teach or do research in the subjects or areas in their charge.

(b) Provided, however, that this condition shall not apply to person appointed to positions at least on a probationary basis in the aforementioned categories prior to Fiscal Year 2006-2007 in which case, those regulations in effect before Fiscal Year 2006-2007 shall apply, notwithstanding requirements established or agreed upon in particular cases or recruitment policies in place at the units or in specific programs.

Section 42.1.3 – Degree or title required for other categories and ranks relating to faculty positions, except for those governed by Section 41.1.4

To qualify for a faculty position in any other category or hold a rank in any category (Sections 41.3, 41.6, 41.7, 41.8, and 41.9), the person must have obtained at least a master's degree or the equivalent terminal degree in the areas that particularly qualifies them to teach or do research in the subjects or areas in their charge, except for those governed by Section 41.1.4.

Section 42.1.4 – Degree or title required for agricultural extension officers and family and consumer sciences extension educators (Sections 41.4. and 41.5).⁷⁰

To qualify for a faculty position in the categories of agricultural extension officer or family and consumer sciences extension educator, the person must have obtained at least

⁶⁹ **Note:** Cf. Board of Trustees Certification No. 15 (2006–07).

⁷⁰ **Note:** Cf. Governing Board Certification No. 35 (2016-2017).

a bachelor's degree or equivalent degree at an institution of higher education recognized by the University.

Section 42.1.5 – Exceptions

(a) Candidates not fully meeting these educational requirements may be recruited as faculty, provided they are of outstanding merit in their fields of specialization or are noted for their competency in skilled areas or that are difficult to recruit, subject to the following requirements:

1. The candidate must have obtained a degree or title recognized pursuant to Section 42.1.1.

2. Candidates who do not meet the educational requirements may be recruited as a substitute, temporary, or special appointment if the department agrees, together with the candidate, on a study plan so they may complete the degree required within a period of time considered reasonable for that particular discipline. These persons shall enjoy the same opportunities as the rest of the faculty within the professional development program.

3. The president of the University shall draft rules and guidelines to determine those skilled areas and instances that are difficult to recruit where the exceptions provided in this section may be applicable. The president may revise from time to time such rules and guidelines to meet needs of the institution in consultation with the chancellors.

(b) The chancellors shall submit an annual report to the president regarding faculty recruitment under the exceptions provided this section.

Section 42.2 – Recognizing academic degrees or equivalent titles

Recognizing an academic degree or equivalent title is the act of acknowledging or establishing equivalence by the University. A degree or title may be recognized by general application rules or through a decision rendered by the Academic Degree and Titles Recognition Board at the request of the deans of academic affairs at the institutional units.

The Governing Board will approve the rules for recognizing degrees and titles at the recommendation of the president after consulting with the Governing Board. The rules adopted pursuant to this section shall not affect the degrees and titles recognized previously. Degrees and titles recognized before to the approval of the rules shall not be binding in future decisions of this matter.⁷¹

Section 42.2.1 – Academic Degree and Titles Recognition Board

There shall be an Academic Degree and Title Recognition Board composed of a representative of the president, who shall also be chair, and the deans of academic affairs of the institutional units. The representatives of the academic senates before the University Board shall elect an additional member.³⁸

⁷¹ **Note:** Certification Nos. 140 & 141 (2001–02), Normas para el Reconocimiento de Grados y Títulos [Rules for Recognizing Degrees and Titles.]

Section 42.2.2 – Duties and powers of the Recognition Board

The Recognition Board shall act on all requests referred by the deans of academic affairs regarding recognition of degrees and titles, pursuant to the rules adopted. These rules shall be applied uniformly.

The decisions reached by the former Convalidation Committee will not constitute binding precedent for the Recognition Board.³⁸

Section 42.2.3 – Appeal to the University Board

Final decisions reached by the Recognition Board may be appealed to the University Board. The appeal may be filed by the person whose degree recognition was denied or by the chancellor of the institutional unit whose dean of academic affairs filed the request to the Recognition Board. Appeals must be filed in writing within a jurisdiction term not exceeding thirty (30) calendar days from the date the final decision was notified.⁷²

Once the decision reached by the Recognition Board becomes final and unappealable, a new request for recognition to the same or equivalent degree or title may not be filed with respect to the same person.³⁸

Article 43 – Criteria for Selection of Faculty

Candidates for faculty positions in any category will be selected according to, but not limited to, the following criteria:

Section 43.1 – Quality of the candidate’s academic record and quality of universities attended.

Section 43.2 – Mastery of the subject matter to be taught and the ability to integrate it with related areas.

Section 43.3 – Experience in teaching and applying knowledge in a particular field.

Section 43.4 – Publications and lectures.

Section 43.5 – Identification with the philosophy and the objectives of the University of Puerto Rico Act.

Section 43.6 – Capacity for scientific research or creative work.

Article 44 – Entry-Level Rank in Each Category*Section 44.1 – General rule*

As a general rule, persons recruited in each of the categories relating to a faculty position shall begin at the entry-level rank.

Section 44.1.1 – Faculty with a doctoral degree⁶⁹

(a) Faculty who have obtained a doctorate or equivalent terminal degree pursuant to Sections 42.1.1 and 42.1.2 recruited in the categories of professor or researcher (Sections

⁷² **Note:** CES Certification Nos. 105 (1978–79); 129 (1979–80); 159 (1985–86).

41.1 and 41.2) shall begin at the rank of assistant professor or assistant researcher (Sections 41.1.2 and 41.2.2).

(b) Faculty who have obtained a doctorate or equivalent terminal degree recruited in the other categories relating to faculty positions may begin at the second rank, in accordance with the provisions of Section 44.1.2.

Section 44.1.2 – Cases of outstanding merit

In cases of outstanding merit, a rank above entry-level may be granted if the appointee has exceptional academic preparation or noteworthy experience in university teaching, in scientific research, or in the application of knowledge in their particular fields, and if they possess qualities acknowledged to be analogous to those required at the next rank.

Section 44.2 – Visiting lecturers and visiting professors

The general entrance rules for the Centralized Personnel Administration System, as approved by the president under Section 14.10.9 after considering the recommendations made by the academic senates, shall provide for the appointment of prominent figures in the fields of teaching, research, creative work, or in the practice of their professions, to serve as visiting lecturers and visiting professors.

Section 44.3 – Professors-in-residence

Professors-in-residence shall be appointed in consultation with the departments or units concerned, by means of a contract not exceeding five (5) years. Contracts shall be renewable at the discretion of the appointing authority and shall be drafted in accordance with the rules and regulations adopted by the president, pursuant to Section 14.10.10, after consulting the academic senates.⁷³

Article 45 – Evaluation of Faculty

Section 45.1 – Regulatory framework

In addition to the rules, criteria, and procedures established herein for the evaluation of faculty performance, the president of the University, pursuant to the powers granted in Section 14.10, shall adopt the necessary complementary rules, criteria, and procedures.

Section 45.2 – Personnel committees

Direct evaluation of the faculty shall be conducted by the college and departmental personnel committees, according to the rules established by the institutional units and approved by the University Board. Such rules shall be consistent with these Regulations.

⁷³ **Note:** CES Certification No. 178 (1987–88).
[Continuación]

Section 45.2.1 – Evaluation of faculty with joint appointments

The evaluation of faculty with a joint appointment shall be carried out by a joint committee formed by the members of the appropriate personnel committees of the units where they teach.⁷⁴

Section 45.3 – Evaluation criteria

In evaluating faculty performance for various purposes, the following criteria shall be taken into account:

Section 45.3.1 – Quality of teaching, research or publications.

Section 45.3.2 – Dedication to their work and to the service of the University.

Section 45.3.3 – Fulfillment of teaching duties.

Section 45.3.4 – Professional development.

Section 45.3.5 – Cooperation in the work within the college including committees and programs of study.

Section 45.3.6 – Research or creative works accomplished.

Section 45.3.7 – Lectures on subjects in their fields.

Section 45.3.8 – Publication, exhibitions, concerts, and other analogous activities.

Section 45.3.9 – Awards received.

Section 45.3.10 – Well-founded and substantiated opinions from colleagues and other persons related to their work.

Section 45.3.11 – Professional attitude: the willingness on the part of the professor to participate in professional activities; fairness, tact, good judgment, discretion and objectivity in handling situations in which they participate; spontaneous cooperation with the academic unit where they teach and with the institution in general.

Article 46 – Tenure for Faculty*Section 46.1 – Functions of the Administrative Board*

After conducting the required evaluations, the Administrative Board of the corresponding unit, at the request of the chancellor, shall grant or deny tenure.

Section 46.1.1 – Notice of granting or denial of tenure

The Administrative Board shall notify the faculty member in writing of its decision to grant or deny tenure.

⁷⁴ **Note:** CES Certification No. 178 (1987–88).

Section 46.2 – Who shall be granted tenure

Tenure for faculty shall be granted to those on a probationary appointment working full –time, filling regular positions in the functional budget of the University or any of its institutional units or subunits and who, in the opinion of the competent authorities, have rendered satisfactory service for a period of five (5) years, pursuant to the following sections:

Section 46.3 – Conditional tenure

Conditional tenure shall be granted to faculty with special appointment financed through with non-university funding, when there is a reasonable probability these funds will be available for more than three (3) years. Conditional tenure shall be granted under the same rules applicable to faculty positions finances through University funds.

*Section 46.4 – Period of required service**Section 46.4.1 – Consecutive service*

The required years of services must be rendered consecutively in one of the faculty position categories indicated in Article 41.

Section 46.4.1.1 – Exception to the requirement of consecutive years

The consecutive-years-of-service requirement shall not apply to instances where service has been interrupted by any type of leave or financial assistance to pursue graduate studies approved by the institution.

Section 46.4.2 – Services rendered while under temporary, substitute, or special appointments, or under a service contract

Tenure shall not be granted to faculty with substitute, temporary or special appointments, or under a service contract, but time served under those conditions, if rendered full-time and are rated satisfactory after the corresponding evaluation, may be credited toward the required probationary period for the purpose of granting tenure.⁷⁵

Section 46.4.3 – Periods not counted

In calculating the years required to receive tenure, periods of part-time services, services rendered by virtue of a contract or as a visiting lecturer, or analogous cases shall not be credited. Neither shall time be credited for any period of leave, except annual leave, accrued sick leave, or maternity leave.

This rule shall not have retroactive effect. However, it shall be extended to tenured faculty who have rendered services by virtue of a contract under the same circumstances previously described, and are not being credited for the purposes of completing the required period to be considered for a promotion in rank or for a sabbatical.⁷⁶

⁷⁵ **Note:** CES Certification No. 41 (1986–87); Board of Trustees Certification No. 46 (1994–95).

⁷⁶ **Note:** Board of Trustees Certification No. 46 (1994–95).

Section 46.4.4 – Time in administrative functions

Faculty with probationary appointment assigned to administrative functions shall receive credit for the time spent performing those functions or tasks when calculating the required years to receive tenure in their regular teaching positions, pursuant to the principles set forth in Article 66.⁷⁷

Section 46.4.4.1 – Faculty shall be not granted tenure in administrative functions

Tenure shall not be granted in administrative positions. Faculty assigned to administrative functions, shall [not] be granted tenure in the performance of such administrative functions or additional tasks, pursuant to the principles set forth in Article 66.⁷⁸

Section 46.4.5 – Total or partial exemption from the probationary period

The Administrative Board, upon request by the chancellor and with the approval of the president of the University, may grant tenure after a probationary period of less than five (5) years, or without a probationary period, to distinguished professors recruited from other prestigious universities where they have been granted tenure. Similarly, tenure may be granted after a probationary period of less than five (5) years to: 1) persons of outstanding merit who are renowned in the practice of their profession; provided, however, that in these cases a probationary period of, at least, one (1) year shall be required; and (2) university staff who has rendered satisfactory service for at least four (4) years in any of the categories relating to faculty positions mentioned in Article 41, and has rendered satisfactory service for at least one (1) year in another faculty category where they seek tenure.⁷⁹

Section 46.5 – Tenure within the System

Tenure rights guaranteed by these Regulations shall be institutional in nature and effective throughout the University System, regardless of the appointing authority granting them.

Section 46.6 – Termination of probationary appointments without granting tenure

The chancellor, or the president in the case of staff under their administrative jurisdiction, may terminate a probationary appointment without granting tenure, when so justified by the evaluation or evaluations conducted, by notifying the person concerned in writing.

Section 46.7 – Advanced notice period

If the decision not to renew the appointment occurs during the first year of services under a probationary appointment, notice shall be given with no less than sixty (60) days prior to the date of termination. If the decision not to renew a probationary appointment

⁷⁷ **Note:** Board of Trustees Certification No. 47 (1994–95).

⁷⁸ **Note:** Board of Trustees Certification No. 47 (1994–95).

⁷⁹ **Note:** Board of Trustees Certification No. 118 (2000–01).

occurs after the start of the second year of service, or in any subsequent year, notice shall be given at least six (6) months in advance.

Section 46.7.1 – Failure to notify within the term provided; procedure

When termination of services is notified within a period of time shorter than provided in the previous section, the University shall pay as indemnity an amount equivalent to the person's gross salary for the balance of the advanced notice period, or until the person starts a new gainful activity, whichever occurs first. The person may choose to receive payments on a monthly basis or to receive a final lump sum. To be entitled to receive monthly payments or to receive a final lump sum, the person must submit an affidavit indicating that they have not initiated any new gainful activity or, if they have done so, indicating the starting date so that payment due may be calculated.

Section 46.7.2 – Right to examine the record

Whenever a probationary appointment is terminated, the person concerned shall be entitled to examine the record.

Section 46.7.3 – Right to seek review

Upon notice of termination of their probationary appointment without receiving tenure, the person concerned, within thirty (30) days following the date of notice and through the appropriate channels, may petition to have their case reviewed. Unless the reviewing authority determines otherwise, the action terminating the appointment shall remain in effect while the review process is conducted.

Section 46.8 – Termination of other non-tenured appointments before the regular expiration date

In addition to the provisions of Section 46.6 on probationary appointments, the appointing authority may terminate any non-tenured appointment in writing before the regular expiration date for good cause and with prior notice at least thirty (30) days in advance. The person concerned shall have the right to examine the record and review the case, pursuant to Sections 46.7.2 and 46.7.3.

Article 47– Promotions in Rank

Section 47.1– Granting authority

Section 47.1.1– Autonomous institutional units

In each institutional unit, the Administrative Board, at the recommendation of the chancellor, shall evaluate the cases of faculty eligible for promotion and shall grant or deny promotion, as appropriate.⁸⁰

Section 47.2 – Initial evaluations and recommendations

In each college, division, or department, as well the Agricultural Experimental Station or the Agricultural Extension Service, initial evaluation and recommendation

⁸⁰ **Note:** CES Certification No. 46 (1989–90). Cf. CES Certification No. 152 (1980–81).

regarding promotions shall be conducted by the personnel committee, which shall submit a written report through the appropriate channels. Recommendations of the departmental committee shall be sent to the dean through the department chair. The reports shall state the grounds and conclusions on which the recommendation is based, as well as the placement of the recommended candidates in order of priority.

Section 47.2.1 – Initiation of the evaluation process

Each academic year, the Administrative Board shall set the date for the ratification of evaluation reports of faculty eligible for promotions.

Section 47.3 – Procedure for recommending promotion

Section 47.3.1 – Institutional units

As a rule, in institutional units, recommendations as to promotions shall be submitted to the chancellor through the dean of the corresponding college with their recommendation, the recommendation of the personnel and departmental committees, and the department chair's recommendation. In case of inaction by any of these officers or committees, or of a difference of opinion among them, any of the aforementioned officers or committees may submit their positions and recommendations to the chancellor for consideration.

Section 47.3.2 – Notice to the Administrative Board

When recommendations for promotion in rank are submitted to the chancellor, a copy thereof shall be sent to the corresponding Administrative Board.

Section 47.3.3 – Time for submitting recommendations

As a rule, recommendations for promotion must be submitted to the chancellor before the end of the first academic semester of each year. In exceptional cases, where there is a fully justifiable reason, recommendations for promotion may be submitted after the start of the second semester.

Section 47.4 – Promotions to the next higher rank

Promotions for faculty shall be to the next higher rank, except where clearly exceptional academic work, research, or publication merits recognition.

Section 47.5 – Consideration for promotion in rank

Faculty shall be considered for promotion in rank based on their years of service and academic preparation in their field or in related areas. In addition, extensionists shall be considered for promotion in rank based on the quality of the work accomplished.

Consideration for all candidates for promotion is mandatory once the personnel committee receives an eligible candidate's file, unless the candidate notifies the committee in writing that they does not wish to be considered.

Section 47.5.1 – Mandatory consideration

Mandatory consideration does not imply that the granting of promotions shall be mandatory.

Section 47.5.1.1 – Faculty with a doctoral degree

Faculty holding the rank of instructor who have completed a doctorate may be considered for promotion to the second rank once evidence to that effect has been submitted and accepted. If granted, the promotion may take effect on the first day of the month following the date on which the degree is officially certified, but not later than the beginning of the following fiscal year.

Faculty holding a doctorate and having served for three (3) years as assistant professor may be considered for promotion to associate professor. Faculty holding a doctorate and having served for five (5) years as associate professor may be considered for promotion to full professor.⁸¹

Section 47.5.1.2 – Faculty with a master's degree

Faculty holding a master's degree and having served for four (4) years as Instructor may be considered for promotion assistant professor. Faculty with a master's degree having served five (5) years as assistant professor may be considered for promotion to associate professor. Faculty holding a master's degree and having served for six (6) years as associate professor may be considered for promotion to full professor.

Section 47.5.1.3 – Faculty with a bachelor's degree

Tenured faculty holding a bachelor's degree recruited pursuant to Section 42.1.2 and having served with excellence for five (5) years at entry-level rank, six (6) years at the second rank, or seven (7) years at the third rank shall be considered for promotion.

Faculty holding a bachelor's degree in the categories of agricultural extension officer or family and consumer sciences extension educator and having served satisfactorily, productively, and industriously for seven (7) years at entry-level rank shall be considered for promotion.⁸²

Section 47.5.1.4 – Special consideration

Faculty with a bachelor's degree in the categories of agricultural extension officer or family or consumer sciences extension educator recruited prior to the effective date of the provisions establishing a master's degree as a requirement for promotion, and who have served satisfactorily, productively, and industriously for seven (7) years at the first, second, or third level shall be considered for promotion.⁸³

⁸¹ **Note:** Cf. Board of Trustees Certification No. 46 (1994–95). Amended by Board of Trustees Certification No. 87 (1999–2000).

⁸² **Note:** Cf. Governing Board Certification No. 35 (2016-2017).

⁸³ **Note:** Cf. Governing Board Certification No. 35 (2016-2017).

[Continuación]

Section 47.5.2 – Exceptional cases

Cases of outstanding merits shall first be considered at the discretion of the personnel committee.⁸⁴

Section 47.5.2.1 – Reduction of periods in exceptional cases

In exceptional cases of extraordinary merit, discretionary consideration for promotion may take place before the periods established in Sections 47.5.1.1 and 47.5.1.2.⁸⁵

Section 47.5.2.2 – Faculty with a bachelor's degree

Faculty holding a bachelor's degree in the categories of agricultural extension officer or family and consumer sciences extension educator and having served with excellence for five (5) years at entry-level rank, six (6) years at the second rank, and seven (7) years at the third rank may be considered for promotion.⁸⁶

Section 47.6 – Law degrees

The degrees of Bachelor of Laws, Juris Doctor, and Licentiate in Law, equivalent to those granted by the University of Puerto Rico to those who graduate from Law, shall be considered equivalent to a master's degree. Professors who obtain a master's degree in a specialized field of Law shall be considered as having a doctorate for the purposes of rank and salary.⁸⁷

Section 47.7 – Levels in each rank for the categories of extensionist

Ten (10) levels are established in each of the categories and ranks for extensionists, described in Article 41, so as to continuously recognize staff output, thus bolstering the principle of merit as the basis for institutional development.

Section 47.7.1 – First level of rank

The first level of rank shall be the entry level.

Section 47.7.2 - Higher levels in rank

Levels above entry-level shall be granted based on years of service, academic preparation and performance of satisfactory work.

Section 47.7.3 - Minimum period per level

The minimum period to be eligible for promotion in level within the same rank shall be three (3) years for mandatory consideration and two (2) years for discretionary consideration in the categories and ranks for Extensionists.

⁸⁴ **Note:** Cf. Board of Trustees Certification No. 87 (1999–2000).

⁸⁵ **Note:** Cf. Board of Trustees Certification No. 87 (1999–2000).

⁸⁶ **Note:** Cf. Governing Board Certification No. 35 (2016-2017).

⁸⁷ **Note:** Cf. CES Certification No. 82 (1983–84).

Section 47.7.4 – Compensation per level

Compensation per level shall vary according to academic preparation. The highest shall correspond to a doctorate and the lesser shall correspond to a bachelor's degree or equivalent. Promotions in rank shall be to the first level of the next rank, provided that compensation accrued at previous levels shall be kept as part of the salary.

Section 47.8 – Consideration at the request of the candidate

Any faculty who, pursuant to established rules, believes they possess all the academic, experience, and outstanding performance requirements for a promotion that has not been recommended, may request consideration of their case by submitting a written petition to the appropriate personnel committee.⁸⁸

Article 48 – Transfers*Section 48.1 – Officers who must approve transfers*

Any transfer from one college or division to another shall require the approval of the chancellor. The person affected by the transfer, as well as the respective department chairs and deans, must be consulted.⁸⁹

Section 48.2 – Transfers that require a change of residence

No transfers involving a change of residence shall be made from one institutional unit to another, or between subunits of the same unit without the consent of the employee affected, offered freely and in writing, unless functions or programs are eliminated and it becomes necessary to relocate employees.

Section 48.3 – Agricultural Extension Service and Agricultural Experiment Station

Employees assigned to the Agricultural Extension Service, the Agricultural Experiment Station, and other units that, as a condition of employment stipulate that employees are subject to transfers, are not covered by the preceding section.

Article 49 – Remuneration*Section 49.1 – Revision of the Pay Plan*

The president shall periodically consider the revision of Faculty Pay Plan and, in consultation with the University Board, shall formulate modifications thereto; these shall be submitted to the Governing Board for approval. Among the factors to be taken into account in the revisions, special consideration shall be given to academic preparation, rank, and years of service.⁹⁰

Section 49.2 – Rules applicable to salary adjustments

Salary adjustments for faculty shall be governed by the following provisions:

⁸⁸ **Note:** Cf. CES Certification No. 82 (1983–84).

⁸⁹ **Note:** Cf. CES Certification No. 88 (1978–79).

⁹⁰ **Note:** Cf. CES Certification No. 82 (1978–79); 75, 98, 106, 141 & 142 (1987–88).

[Continuación]

Section 49.2.1 – Salary adjustments for obtaining an academic degree

Salary adjustments for obtaining an academic degree shall be made on the first day of the month following the date on which the degree is officially certified and after evidence to that effect has been submitted and accepted.⁹¹

Section 49.2.2 – Salary adjustments for years of service

Salary adjustments for years of service shall be made on July 1 of the year in which the stipulated period is completed, when this takes place not later than August 31. If the period is completed after this date, adjustments shall be made on January 1.

Section 49.2.2.1 – Calculating years of service

Only those years of service rendered at the academic level or in work involving the supervision of academic tasks and the formulation of institutional educational policy shall be considered for the purposes of calculating years of service. Leaves of absence (except sabbatical, in-service leaves, summer study leaves, annual leaves, sick leaves up to the total accrued days, and maternity leaves) and service rendered on a part-time basis, at night courses, at an extension, extramural services, or services rendered during summer sessions shall not be counted toward years of service.

Section 49.2.2.2 – Uninterrupted services

Years of service to be accredited in a five-year period must be served without interruption. Periods of leave shall not constitute interruptions of service.

Section 49.2.3 – Salary adjustments for promotions

Salary adjustments for promotions shall start on July 1 of the fiscal year following the date on which the promotion is granted, except for salary adjustments for promotions to second rank after obtaining a doctorate, which shall start on the first day of the month following the date on which the degree is officially certified, but not later than the beginning of the next fiscal year.⁹²

Section 49.3 – Distribution of salary payments

Professors and other faculty who render services during the regular academic year shall receive their salary distributed in twelve (12) equal monthly payments. However, temporary or substitute faculty whose appointment is for a specific period shall receive their remuneration based on the monthly payments received by regular faculty with similar rank.

Section 49.4 – Special scale for courses taught in addition to the regular workload

The president of the University, in consultation with the University Board, shall propose to the Governing Board for approval a special pay scale for services rendered in addition to the regular academic workload. Such compensation shall be granted only for

⁹¹ **Note:** Cf. CES Certification No. 49 (1975–76).

⁹² **Note:** Cf. Board of Trustees Certification No. 46 (1994–95).

those tasks exceeding the regular academic workload provided in these Regulations. The deductions required by law shall apply to compensation for these additional tasks.

Section 49.5 – Additional tasks

The appointing authority may assign to any faculty member additional tasks not included in the responsibilities stipulated in Articles 63 and 64 of these Regulations. Remuneration for these additional tasks shall be made as addition compensation. In no case shall the power granted under this Section release the faculty member from fulfilling all the responsibilities established in Articles 63 and 64.

Section 49.5.1 – Administrative functions

Special remuneration shall be granted for chairing a department and for other administration functions when the appointing authority deems that the nature and amount of the work so requires. The remuneration faculty may receive for such additional tasks shall be considered part of their regular salary while they receive it. The president, in consultation with the University Board, shall recommend the amount of the remuneration for such services to the Governing Board for approval.⁹³

Article 50 – General Provisions on Leave and Financial Assistance for Faculty

Section 50.1 – Leaves for principal executive officers

The Governing Board, in accordance with the provisions of these Regulations, shall decide the granting of leaves of the president of the University, the executive secretary of the Governing Board and the director of the Retirement System. On the recommendation of the president of the University, the Governing Board shall grant leaves to the chancellors.

Section 50.2 – Leaves for faculty in general

Section 50.2.1 – Types of leaves

The types of leaves available to faculty shall be those provided in these Regulations, namely: annual leave, sick leave, sabbatical leave, paid extraordinary leave, unpaid extraordinary leave, financial assistance, unpaid leave, political leave, maternity leave, military leave, judicial leave, and in-service leave. No other type of leave shall be granted without the express consent of the Governing Board.

Section 50.2.2 – Academic, budgetary and institutional elements to be considered in the granting of leaves and financial assistance

Sabbaticals, paid extraordinary leave, and unpaid extraordinary leave with financial assistance, as well as financial assistance, are not granted as a matter of right. These shall be governed by the benefits the University derives therefrom and by the budgetary conditions surrounding the institutional unit.

The granting of leaves and financial assistance for studies shall require the certification by the dean of academic affairs of each unit to the effect that the academic

⁹³ **Note:** Cf. Board of Trustees Certification No. 47 (1994–95).

degree sought is recognized by the University of Puerto Rico, in accordance with Article 42, Section 42.2.³⁸

Section 50.2.2.1 – Institutional interest when there is no direct budgetary impact

In-service leave, unpaid leave, unpaid extraordinary leave without financial assistance, even though these do not have a direct impact on the budget, are not granted as a matter of right. Applications for these types of leave shall be decided taking into account institutional interests.

Section 50.2.3 – Leaves and financial assistance to be granted by the administrative boards

In each institutional unit, the Administrative Board shall have the power to grant or reject applications for leave and financial assistance at the recommendation of the chancellor.

Section 50.2.4 – Procedure for application and consideration

In consultation with the Administrative Board, each chancellor shall determine the procedure for applying and considering applications for leave and financial assistance for faculty, and shall take the complementary measures necessary to enforce the provisions of these Regulations.

Section 50.2.5 – Leave and financial assistance to obtain a master's degree or doctorate

As a rule, a maximum of two (2) years leave or financial assistance shall be granted after completing a bachelor's degree to obtain a master's degree; a maximum of three (3) years after obtaining a master's degree, for a doctorate, including, in both cases, writing a thesis. In exceptional cases where the regular program of study or research requires a longer period of time, leave or financial assistance may be extended for the time required to complete the degree.⁹⁴

The dean of academic affairs shall evaluate the place of study to certify that it is an institution of higher education that grants degrees or titles recognized by the University, in accordance with Article 42, Section 42.³⁸

Section 50.2.6 – Accrual of ordinary or sick leave while on other type of leave

Only ordinary and sick leave shall accrue while a person is on another type of leave, and only on returning from annual leave, sick leave, maternity leave, or military leave, up to a maximum of thirty (30) days under Law No. 62 of June 23, 1980, as amended.⁹⁵

Section 50.2.7 – Prior use of accrued annual leave

To make use of a sabbatical leave or any type of extraordinary leave of absence, it will not be necessary to exhaust accrued annual leave.⁹⁶

⁹⁴ **Note:** Cf. CES Certification No. 119A (1981–82).

⁹⁵ **Note:** Cf. CES Certification No. 71 (1971–72).

⁹⁶ **Note:** Cf. CES Certification No. 12, (1974–75).

Section 50.2.8 – Cancellation or modification of leave

Cancellation or modification of the terms of a leave of absence, such as: sabbatical, in-service leave, paid extraordinary leave, unpaid extraordinary leave with or without financial assistance, political leave, or unpaid leave, shall require the prior approval of the Administrative Board, at the request of the chancellor, with the recommendations of the respective dean and department chair.

*Section 50.3 – Service commitment**Section 50.3.1 – Services to be rendered*

Any person on a sabbatical, paid extraordinary leave, or unpaid extraordinary leave with financial assistance, and any person who receives financial assistance shall sign a contract agreeing to return and provide their services to the University, if the institution so requires, upon conclusion of the leave or financial assistance, for a period of time no less than the duration of the leave or financial assistance. When so authorized, the person may fulfill this obligation by rendering services in any public entity of the Government of Puerto Rico. If, after weighing the institutional needs of the University of Puerto Rico and the Government of Puerto Rico, it is determined that the services to be rendered are not needed, the appointing authority concerned may release the person from their contractual obligation.⁹⁷

Section 50.3.2 – Breach of obligation

If, despite being required to do so, the person concerned does not return to the University or does not render services to the authorized public entity, the person shall repay the amount of salary or financial assistance received or shall make arrangements for a payment plan so as to return the amount in the term provided for in the *Reglamento para la Concesión de Crédito y Cobro de Deudas de la Universidad de Puerto Rico* [University of Puerto Rico Regulations on Loan Awards and Debt Collection]. Any exception to this time limit must be authorized in advance by the Governing Board. If, after returning, the person interrupts their service before fulfilling their obligation, the person must reimburse the portion of the funds received corresponding to the time of unrendered services.⁹⁸

Section 50.3.3 – Payment of interest

Whenever a person must reimburse the amount of salary or financial assistance received, they shall also pay interest thereon at the current legal rate.

Article 51 – Sabbaticals*Section 51.1 – Purposes*

Sabbatical leaves shall be granted only when in the interests of the University and to offer faculty the opportunity for professional and cultural improvement through

⁹⁷ **Note:** Cf. CES Certification No. 108 (1987–88).

⁹⁸ **Note:** Cf. CES Certification No. 108 (1987–88); Board of Trustees Certification Nos. 101 (2000–01) & 91 (2001–02).

[Continuación]

activities such as creative work, research, cultural travel, and formal studies toward the completion of a higher degree. The aforementioned shall be conditional to budgetary possibilities of the institution.⁹⁹

Section 51.2 – Eligibility

Every faculty member is entitled to be considered for sabbatical leave, provided that the person is eligible under the established rules.

Section 51.2.1 – Minimum requirements

Tenured faculty who have rendered five (5) or more years of service shall be eligible for sabbatical leave. After completing a sabbatical and returning to work, a person shall not be eligible until they have completed a new period of at least five (5) years of service.¹⁰⁰

Section 51.2.2 – Requirement of notice and approval to accept scholarships or employment

As a rule, the beneficiaries of this type of leave shall not accept scholarships or employment that may distract them from the activities for which the sabbatical was granted.

Faculty on sabbatical leave to undertake formal studies or research and who are interested in accepting a scholarship or employment, whether or not remunerated, must obtain a certification from their program director stating that the scholarship or employment will not be a distraction from them from their program of study or research. A copy of this certification shall be notified to the dean, who, in turn, shall submit the matter to the Administrative Board for consideration.¹⁰¹

Section 51.2.3 – Faculty with a doctorate or twenty years of service

Faculty with a Doctorate or who have served for twenty (20) years or more may be granted a sabbatical leave to take up formal studies, research, or cultural travel. The beneficiaries of this type of leave to undertake formal studies or research shall not accept scholarships or employment that distract them from their program of study or research.

Where there is an institutional interest, a sabbatical may also be granted to practice their profession.¹⁰²

Section 51.3 – Computing years of service required

The computation of years of service shall be subject to the following conditions:

⁹⁹ **Note:** Cf. CES Certification No. 178, (1987–88); Board of Trustees Certification No. 103 (2000–01).

¹⁰⁰ **Note:** Cf. Board of Trustees Certification No. 3 (1995–96).

¹⁰¹ **Note:** Cf. Amended Board of Trustees Certification No. 103 (2000–01).

¹⁰² **Note:** Cf. Board of Trustees Certification No. 103 (2000–01).

[Continuación]

Section 51.3.1 – Effect of paid extraordinary leave, or unpaid extraordinary leave with financial assistance

If before the person has previously been on paid extraordinary leave or unpaid extraordinary leave with financial assistance for one (1) academic year or more, the five (5) years of service required under Section 51.2.1 shall be counted from the time the person returns to their position.¹⁰³

Section 51.3.2 – Effect of unpaid extraordinary leave without financial assistance

Unpaid extraordinary leave without financial assistance shall not cancel the previous years accrued toward a sabbatical.

Section 51.3.3 – Periods of leave

The period during which faculty is on any type of leave, except annual leave, sick leave, military leave, judicial leave, maternity leave, and in-service leave, shall not be considered for the purposes of computing the required five (5) years of service.¹⁰⁴

Section 51.3.4 – Administrative positions

The work rendered in administrative positions with persons with academic rank shall be accredited toward sabbatical leave.¹⁰⁵

Section 51.3.5 – Services rendered under substitute, temporary or probationary appointments

Full-time teaching services rendered under a substitute, temporary, or probationary appointment shall be accredited toward a sabbatical leave when the applicant acquires tenure.

Section 51.4 – Duration

Sabbatical leave shall be granted only for half an academic year, a full academic year, or for twelve (12) months, except as provided in Section 51.4.2 regarding leaves for cultural travel.

Section 51.4.1 – Period of less than twelve months

A professor on sabbatical for less than twelve (12) months may, at a later date, apply for the remaining portion of the total sabbatical year without having to compete a new period of five (5) years. When granting this type of request, the Administrative Board shall avoid interrupting the professor's teaching responsibilities.¹⁰⁶

Section 51.4.2 – Cultural travel

Sabbatical leaves for cultural travel shall not exceed one semester and one summer.

¹⁰³ **Note:** Cf. Board of Trustees Certification No. 3 (1995–96).

¹⁰⁴ **Note:** Cf. Board of Trustees Certification No. 3 (1995–96).

¹⁰⁵ **Note:** Cf. Board of Trustees Certification No. 47 (1994–95).

¹⁰⁶ **Note:** Cf. Board of Trustees Certification No. 3 (1995–96).

Section 51.5 – Compensation while on sabbatical

All sabbatical leaves shall include only the professor's regular salary, as provided for in the faculty pay scale. However, according to the financial situation of the unit, a lesser amount may be granted, but never less than half their salary. The determining factor in calculating the amount of sabbatical leave shall be time and not the pay received.

Section 51.5.1 – Compensation for faculty with administrative functions

If a department chair, a dean of a school, a dean of a college, a chancellor, or the president leaves their office and is eligible for a sabbatical, such person may apply to the Administrative Board for it. If the leave is granted, the salary received shall be that which corresponds to their faculty rank, according to the pay scale.¹⁰⁷

*Section 51.6 – Procedure for obtain a sabbatical leave**Section 51.6.1 – Submitting an application to the Administrative Board*

The chancellor shall submit to the Administrative Board the file requesting sabbatical leave together with their own recommendations thereon.

Section 51.6.2 – Notice of the decision to the interested party

The Secretary of the Administrative Board shall notify the interested party of the decision reached by the Board as soon as possible, indicating the regulatory provisions applicable to the particular case.

Section 51.7 – Reports to be submitted by the person on sabbatical

At the end of the first semester of the first half of the leave period, persons on sabbatical leave shall submit to the chancellor of their unit, through the dean, a progress report on the work or activities carried out. A final report shall be submitted within sixty (60) days of concluding the leave period. Both progress and final reports shall be accompanied by the official transcript of the studies completed and any other pertinent document, if any. The dean of each college or school shall make sure that all professors on this type of leave produce the required reports on time.

Article 52 – Extraordinary Leave and Financial Assistance*Section 52.1 – Eligibility**Section 52.1.1 – Faculty with tenure or probationary appointment*

Extraordinary leave may be granted with pay, or without pay with or without financial assistance, to tenured faculty with regular positions or those with probationary appointments, when it is in the interest of the institution to do so, for any of the following purposes: to undertake special tasks; to pursue formal graduate studies in Puerto Rico or abroad; to engage in artistic or literary work or research; to attend international,

¹⁰⁷ **Note:** Cf. Board of Trustees Certification No. 47 (1994–95).
[Continuación]

educational, scientific, artistic, literary, or sporting events on behalf of Puerto Rico or the University.¹⁰⁸

Section 52.1.2 – Faculty without tenure or probationary appointment

Faculty without tenure or probationary appointment shall not be eligible for extraordinary leave, but may be granted financial assistance to undertake graduate studies in accordance with the principles and rules for extraordinary leave without pay and with financial assistance, in accordance with Sections 52.4.2 and 52.5.2. Such studies may be in Puerto Rico or abroad, in matters directly relating to their work, and in institutions that meet the level of excellence pursued by the University.

Section 52.2 – Duration

Extraordinary leave, as well as financial assistance for faculty without tenure or probationary appointment, may be granted for a summer, half an academic year, an academic year, or for twelve (12) months. Other extraordinary leaves with other duration, either with or without pay and with or without financial assistance, may be granted to attend international, educational, scientific, artistic, literary, or sporting events on behalf of Puerto Rico or the University.¹⁰⁹

Section 52.3 – Procedure

The procedure for applying for extraordinary leave or financial assistance under Section 52.1 shall be similar to that established for sabbatical leave in Sections 51.6.1 and 51.6.2.

Section 52.4 – Compensation

Section 52.4.1 – Paid extraordinary leave

Paid extraordinary leave shall include only the professor's regular salary, in accordance with the faculty pay scale. However, depending on the financial situation of the particular unit, a lesser amount may be granted, but never less than half their salary. This leave shall not include financial assistance for housing or living expenses.

Section 52.4.2 – Unpaid extraordinary leave with financial assistance

Financial assistance may include tuition, laboratory, graduation, and library fees. It also may include: transportation expenses (one round trip) to the place of study when outside of Puerto Rico, allocation for books and materials, housing and living expenses, and a sum to be stipulated by the Governing Board, on recommendation of the University Board, for the typing of doctoral or master's degree thesis.

In cases of financial assistance for attending international, educational, or sporting events on behalf of Puerto Rico or the University, financial assistance may cover the all or part of the cost of transportation (round trip) and living expenses during the activity.

¹⁰⁸ **Note:** Cf. CES Certification Nos. 11 (1976–77); 58, (1980–81); amended CES No. 178 (1987–88).

¹⁰⁹ **Note:** Cf. CES Certification No. 178 (1987–88).

All types of financial assistance mentioned in this section shall be granted according to the criteria approved by the Governing Board.

Section 52.4.3 – Scholarships

Faculty on extraordinary leave, with or without pay and with or without financial assistance, may accept scholarships following the procedure established for faculty on sabbatical leave in Section 51.2.2.

Section 52.4.4 – Employment

Faculty on paid extraordinary leave shall not accept any employment, remunerated or not, nor shall faculty on unpaid extraordinary leave with financial aid, unless the work is directly related to their program of studies and will not interrupt or adversely affect it. In all cases, the person must comply with the procedure established for faculty on sabbatical leave in Section 55.2.2.

Section 52.5 – Priority in granting leaves or financial assistance

Preference in regards to unpaid extraordinary leaves with financial assistance shall be given to initiating or continuing formal studies toward an academic degree in an institution granting degrees or titles recognized by the University of Puerto Rico, and shall be governed by the following order of priority.³⁸

Section 52.5.1 – Studies in progress

Persons who are pursuing graduate studies and have an interest in continuing their studies during the following year, if their academic performance justifies it.³⁸

Section 52.5.2 – Beginning or resuming studies

Persons interested in beginning or resuming graduate studies and have demonstrated capacity and willingness to do so.³⁸

Section 52.6 – Paid extraordinary leave

Under exceptional circumstances favoring the institution, paid extraordinary leave to pursue graduate studies may be granted to faculty with regular appointments and not less than three (3) years of satisfactory service, as provided in Section 52.4.1.

When paid extraordinary leave is granted for summer study, the time used for this purpose shall be considered when calculating of years of service at the University.³⁸

Article 53 – Unpaid Leave

Section 53.1 – Eligibility

Each Administrative Board may grant unpaid leave to any tenured faculty member or to faculty with a probationary appointment who has rendered a minimum of three (3) years of satisfactory service. In exceptional cases, and taking into account the interests of the institution, such leave may be granted to faculty on a probationary appointment who has rendered not less than one (1) year of satisfactory service.

*Section 53.2 – Purposes*¹¹⁰

(a) Unpaid leaves may be granted for the following purposes:

- (1) teaching or studying in other educational institutions;
- (2) studies at the University of Puerto Rico;
- (3) service in educational or cultural organizations;
- (4) to hold public office pursuant to Section 53.4.2;
- (5) to undertake special tasks that are in the interest of the institution; or
- (6) for personal reasons.

(b) Unpaid leave shall not be granted to test other employment opportunities.¹¹¹

Section 53.3 – Justification; evaluation on the merits and determination of institutional benefit or public interest

In all cases, the applicant must fully justify the reasons for granting a leave. The Administrative Board of the unit shall evaluate all applications on the merits and shall determine whether the decision to grant a leave for the purposes stated in the application is based on institutional benefit or public interest.¹¹⁰

*Section 53.4 – Duration**Section 53.4.1 – General rule*

Unpaid leaves may be granted for periods of up to one (1) year, renewable as the Administrative Board may deem appropriate, provided that the total leave granted does not exceed two (2) years and always taking into account institutional interests. Cases governed by the provisions of Section 50.2.5 are excluded from this general rule.¹¹²

Section 53.4.2 – Faculty holding a position of public interest

Unpaid leave may be granted and renewed annually at the discretion of the Administrative Board of the corresponding unit for a period not exceeding eight (8) years when the purpose for requesting leave is to hold public office or a position of public interest, provided that such office or position is administrative or executive in nature, is complex or requires a high degree of specialization, and is compatible with or may benefit institutional interests.¹¹⁰

The following offices met these requirements: governor, secretary in the Executive Cabinet, judges of the Judicial Branch of Puerto Rico, aides to the governor, head of an agency, or president of an accredited private accredited higher education institution.¹¹³

¹¹⁰ **Note:** Cf. Board of Trustees Certification No. 16 (2006–07).

¹¹¹ **Note:** Cf. CES Certification No. 201 (1980–81).

¹¹² **Note:** Cf. CES Certification No. 119A (1981–82); Board of Trustees Certification No. 200 (2001–01).

¹¹³ **Note:** CES Certification No. 54 (1988–89); Board of Trustees Certification Nos. 150 & 200 (2000–01).

Section 53.4.3 – For personal reasons

Unpaid leave granted for personal matters shall be granted for up to twelve (12) months, and may be extended under exceptional and clearly justifiable circumstances for an additional twelve (12) months.

Section 53.5 – Information required

In all cases, the Administrative Board may request the applicant or the institution where the applicant will teach, study, render services, or work, to provide any information necessary to reach a decision.¹¹⁰

Section 53.6 – Duty of faculty on leave to submit reports¹¹⁰

(a) Any person on unpaid leave shall submit to the chancellor of their institutional unit, through the dean, a report on the work or activities carried out not later than sixty (60) days after the leave period concludes. This report, however, shall not be required for unpaid leaves granted for personal reasons.

(b) The dean of each college shall make sure that any person required to submit a report pursuant to the preceding section produces said report on time.

Section 53.7 – Filling vacancies

Vacancies as a result of granting an unpaid leave may be filled by a substitute appointment for the terms that do not hinder the reinstatement of the person on leave. The reinstatement of faculty shall not take effect before the term of leave expires, except when it is in the interest of the institution.

Article 54 – Political Leave*Section 54.1 – With pay*

It is mandatory for all faculty who in an election year presides over a recognized state-level political party or is a certified candidate for any elected office, except for a municipal assembly member, to apply for paid leave effective the beginning of the first semester until December 31 of that year. The respective administrative boards shall grant such requests after ascertaining by means of the appropriate official certification, that the person applying for the leave is the chair of the political party or is an official candidate to elected office.¹¹⁴

Section 54.2 – Without pay

When a faculty member is elected or appointed to hold an elected public office, such person shall be placed on unpaid leave for the period of their incumbency, from January 1 of the year after general elections are held or after the date on which they take office. If the officer is elected or otherwise holds an elected public office for more than eight (8) consecutive years, the University shall not be released from its obligation to hold the employee's position in reserve.

¹¹⁴ **Note:** Amended by CES Certification No. 91 (1971–72).

Section 54.3 – Prohibition on rendering services to the University while on leave

University faculty on paid or unpaid leave, in either of the two situations described above, shall not render any services to the University.

Section 54.4 – Agricultural Extension Service employees

In relation to the provisions of this Article, Agricultural Extension Service employees covered by federal law shall be governed thereby.

Article 55 – Sick Leave

Section 55.1 – Days accrued per month of service

Section 55.1.1 – Full-time employees

Every faculty member with a full-time appointment is entitled to accrue days for paid sick leave. Sick leave will accrue at the rate of one day and a half (1½) for each calendar month of service.¹¹⁵

Section 55.1.2 – Part-time employees

Every faculty member with a part-time appointment who works in regular university programs and is not paid in the form of additional compensation, may accrue paid sick leave at the corresponding rate, based on the days accrued for a full-time appointment and as described in the preceding section.

Section 55.2 – Maximum accrual

Unused sick leave may accrue up to a maximum of ninety (90) days, as of the end of the calendar year.

Section 55.3 – Applicable days

When applying sick leave, Saturday, Sundays and public holidays shall not be counted against the total accrued sick leave.

Section 55.4 – Causes for sick leave

This type of leave shall be used only when the employee is sick or incapacitated or has been exposed to a contagious disease, when the latter requires one to be absent from work. This type of leave may also be used for medical appointments, in which case the employee shall give reasonable advanced notice of the absence and present evidence of having used that time for such a purpose. Although, normally, previous notice is not required, the department chair must be given timely notice of these absences.

Section 55.4.1 – For the purposes of lump-sum payments

A lump-sum payment for accrued sick leave as of the date of retirement or termination due to disability may be requested.

¹¹⁵ **Note:** Cf. CES Certification No. 56 (1974–75).

*Section 55.5 – Unpaid sick leave**Section 55.5.1 – Cases of extended illness*

The Administrative Board, at the request of the chancellor, may grant additional unpaid sick leave to faculty members who have exhausted the total accrued days for sick leave and for annual leave. The total number of days accumulated for sick leave, annual leave, and unpaid leave shall not exceed two (2) years.¹¹⁶

Section 55.5.2 – Cases referred to the State Insurance Fund

When an employee is under treatment at the State Insurance Fund or awaiting a final decision regarding an accident or injury, unpaid leave shall be granted for a maximum of three (3) years, renewable annually. Failure to return to work upon the conclusion of this term for reasons of continued disability shall be equivalent to furlough due to illness. The foregoing shall not affect the rights the employee may have acquired in the University of Puerto Rico Retirement System, if the employee is found to be disabled. In such cases, action on the part of the Administrative Board or the president, as is the case may be, is not required.¹¹⁷

Section 55.6 – Medical certificate requirements

When absences due to illness exceed five (5) days, the employee shall be required to present a medical certificate so that the absence may be recorded as sick leave. When absences are for five (5) days or less, it is left to the discretion of the appropriate authorities whether to require a medical certificate.

Article 56 – Maternity Leave*Section 56.1 – Circumstances*

Any woman who is a faculty member with a permanent or probationary appointment, or a special, substitute, temporary, or irregular appointment, as well as women who render services through contract, shall apply for maternity leave. Application shall be submitted with sufficient advanced notice, indicating the probable date of childbirth. In the case of service contracts, maternity benefits shall be granted for the duration of the contract. Similarly, maternity benefits shall apply to substitute and temporary appointments for the duration of the appointment. Application shall be submitted for the purposes of informing the department chair with sufficient advanced notice of the probable date of childbirth so that the necessary arrangements may be made to meet the employee's work program once on leave.¹¹⁸

¹¹⁶ **Note:** Cf. CES Certification No. 201 (1980–81).

¹¹⁷ **Note:** Cf. Amended Board of Trustees Certification No. 137 (2000–01).

¹¹⁸ **Note:** Cf. CES Certification Nos. 119A (1981–82); 81 & 82 (1985–86), 107 (1987–88); Board of Trustees Certification No. 4 (1995–96).

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Section 56.1.1 – Adoptive mothers

Maternity leave may be granted to all women faculty who become a mother through the adoption of an underage child. In such cases, the application must be submitted with sufficient advanced notice, indicating the approximate date she will receive the child so that the necessary arrangements may be made to meet the employee's work program once on leave.¹¹⁹

Section 56.2 – Period covered

The maternity leave shall cover a rest period of sixty (60) calendar days: thirty (30) calendar days before giving birth and thirty (30) calendar days beginning on the date of birth. The applicant may take only one (1) week of prenatal rest and extend the postpartum rest period up to fifty-three (53) calendar days. In such case, the applicant shall present a medical certificate stating she is able to work up to one (1) week before the date of birth. During this period, Sundays and public holidays shall not be counted.¹²⁰

Section 56.2.1 – Adoptive mothers

Maternity leave for women faculty adopting a child shall cover a period of sixty (60) calendar days from the date she receives the child into her family. When applying for this leave, the employee shall submit evidence of the adoption proceedings, as issued by the competent agencies.¹²¹

Section 56.3 – Childbirth defined

“Childbirth” shall mean the act whereby a conceived child is separated from the mother's womb by natural means, or is legally extracted from the womb through surgical-obstetric procedures. It shall also include any premature birth, miscarriage or involuntary abortion, the latter including that which is legally induced by a physician.

Section 56.4 – Salary to be received while on maternity leave

While on maternity leave, the employee shall receive her full salary as stipulated in the faculty pay scale.

Section 56.5 – Accrual of annual leave or sick leave while on maternity leave

During maternity leave, the employee shall accrue the entire annual leave and sick leave to which she is normally entitled. This credit shall be made once she returns to work.

Section 56.6 – Premature childbirth

If the childbirth takes place before the anticipated date, the employee may extend the postpartum rest period for a time equivalent to the unused portion of her prenatal rest period. In case of premature childbirth when no part of the maternity leave was used, the employee shall have the right to sixty (60) calendar days of maternity leave from the date of premature childbirth.

¹¹⁹ **Note:** Cf. CES Certification No. 107 (1987–88).

¹²⁰ **Note:** Cf. Board of Trustees Certification No. 51 (1996–97).

¹²¹ **Note:** Cf. CES Certification No. 107 (1987–88).

Section 56.7 – Advanced reinstatement

The employee may request to be reinstated before the end of the postpartum period, provided she produces a medical certificate stating she is able to carry out her responsibilities. In this case, it shall be understood that the employee waives any unused balance of her maternity leave.

Section 56.8 – Miscarriages

In the case of a miscarriage, the employee may claim the same benefits as in the case of a normal childbirth. However, to qualify for such benefits, the miscarriage must be of such a nature as to produce the same psychological effects normally occurring after childbirth, according to the medical diagnosis and certification of the physician who has cared for her during the miscarriage.

Section 56.9 – Complications after childbirth

In the event of complications that prevent the employee from returning to work, additional sick leave may be granted for the duration of the complication. A medical certification shall be required stating the employee's condition and time it is estimated the condition will last. If the employee has no accrued sick leave, annual leave may be granted for up to the maximum accumulated. If the employee has no accrued annual leave, she may be granted unpaid leave for up to six (6) months.

Section 56.10 – Leave during the non-teaching summer period

When maternity leave corresponds in whole or in part with the non-teaching summer period, the employee shall receive only the salary to which she is entitled pursuant to the pay scale for that period.

Section 56.11 – Duration of a maternity leave under a temporary or substitute appointment, or when rendering services under contract

In the cases of temporary and substitute appointments or services rendered under contract, maternity leave shall not exceed the period remaining for the appointment or contract¹²²

Article 57 – Annual Leave*Section 57.1 – Use*

Faculty members, including those whose workload is considered to be equal to that of non-teaching staff, shall be governed by the provisions concerning annual leave that apply to non-teaching staff under Article 92.

Section 57.2 – Services paid by additional compensation

Services paid through additional compensation shall not be considered in the accrual of annual leave.

¹²² **Note:** Cf. CES Certification Nos. 81 & 82 (1985–86).

Section 57.3 – Services rendered in more than one classification

Full-time faculty rendering services under more than one employee classification shall be governed by the rules regarding annual leave applicable to non-teaching staff.

Section 57.4 – Faculty with administrative functions who return to teaching

Section 57.4.1 – Reinstatement at the start of or during the regular academic year

University staff who, after working in an administrative position or office within the University system, leaves such functions and immediately returns to teaching at the start of or during the regular academic year without exhausting accumulated annual leave, shall receive a lump-sum cash payment of the annual leave accrued up to a maximum of sixty (60) days when it is not possible to transfer such leave to the teaching position.¹²³

Section 57.4.2 – Reinstatement at the start of or during the summer term

When reinstatement to a teaching position occurs at the start of or during the summer term, the period between then and the official start of the regular academic year shall be charged as annual leave, but never for more than sixty (60) days nor in excess of the professor's accrued annual leave. Once the professor's annual leave has been exhausted or the sixty (60) days has elapsed, the professor shall begin to receive the regular salary for the teaching position, even if the regular academic year has not started. Whenever the professor has not exhausted at the start of the regular academic year any annual leave accrued while serving in an administrative position, a lump-sum cash payment shall be made in accordance with the preceding section; provided that in this case, the total of days used and days paid as a lump sum shall never exceed sixty (60) consecutive days in a calendar year.¹²⁴

Section 57.4.3 – Termination of administrative duties during any recess period

Faculty who terminate their administrative duties during any recess period—such as, winter, summer, or spring break, or any other recess decreed by the proper authorities—shall exhaust their annual leave up to sixty (60) days before stating to receive their regular salaries as professors. Any remaining annual leave accrued on the day the professor returns to teaching in the regular academic year shall be paid in lump sum, subject to the conditions provided in the preceding section.¹²⁵

Section 57.4.4 – Reinstatement to a position or office that accrues annual leave

Faculty who, after working in an administrative position as a confidential employee within the University system, leaves such position and immediately returns to their regular position or office that accrues annual leave under Section 57.1, shall receive a lump-sum payment for the salary differential between both positions for the number of days accumulated as annual leave in the position terminated, up to a sixty (60) days.¹²⁶

¹²³ **Note:** Cf. CES Certification No. 12 (1974–75); Board of Trustees Certification No. 47 (1994–95).

¹²⁴ **Note:** Cf. CES Certification No. 116 (1985–86); Board of Trustees Certification No. 47 (1994–95).

¹²⁵ **Note:** Cf. Amended Board of Trustees Certification No. 47 (1994–95).

¹²⁶ **Note:** Cf. CES Certification No. 138 (1985–86); Board of Trustees Certification No. 47 (1994–95).

Article 58 – Military Leave

Military leave shall be granted to faculty in accordance with the principles and procedures established for non-teaching staff in Article 93.

Article 59 – Judicial Leave*Section 59.1 – Appearances in court or other bodies or officers with subpoena power*

Any faculty member who must be absent from the University, having received a summons or subpoena to appear as a witness or defendant in their capacity as a university employee, before any court, administrative agency, governmental agency, or officer with power to subpoena, shall be granted paid leave for as long as they are absent for this reason; provided that the employee produce evidence of the official summons or subpoena. Faculty members summoned for jury duty shall request to be excused, as provided by law.¹²⁷

Section 59.1.1 – Appearance as a witness in criminal cases

Judicial leave shall also be granted when an employee is duly summoned or subpoenaed by the prosecuting authority or by the court to appear as a witness in a criminal investigation or proceeding. In such cases, the employee must inform their supervisor with no less than two (2) working days prior to the day they must be absent from work. However, the employer may be notified within a shorter term if a delay in the receipt of the summons or subpoena prevents the employee from complying with this obligation. Once the employee has fulfilled their duty as a witness, the employee must obtain a certification from the prosecution or the court clerk clearly stating the duration of their appearance, indicated in days and hours. The employee shall deliver said certification to their supervisor.

Section 59.2 – Non-applicable cases

Pursuant to Section 59.1.1, judicial leave shall not apply when faculty is summoned or subpoenaed as a witness in their personal capacity or has a personal interest in the respective proceedings. Nor shall judicial leave be granted when the employee is summoned or subpoenaed for other reasons unrelated to their regular responsibilities toward the institution, to appear as the accused, complainant, defendant, or plaintiff. In these cases, the time used for such purposes shall be charged to annual leave, or lacking accumulated leave time, they shall be granted unpaid leave for that particular period.¹²⁸

Article 60 – In-Service Leave*Section 60.1 – Circumstances*

Faculty shall be granted in-service leave to carry out temporary duties at another institutional unit within the University system either to teach or render administrative or

¹²⁷ **Note:** Cf. CES Certification No. 59 (1986–87).

¹²⁸ **Note:** Cf. Amended CES Certification No. 59 (1986–87).

[Continuación]

special services. Leave shall be granted in the employee's same category or rank for periods not exceeding one (1) year, up to a maximum of four (4) years.¹²⁹

Section 60.2 – Eligibility

Only faculty in regular positions who figure in the University budget and faculty with conditional tenure in positions paid with external funds, subject to the conditions governing such funds, shall be eligible for this type of leave.¹³⁰

Section 60.3 – Approval by the Administrative Board

This leave shall be subject to approval of the appropriate Administrative Board, and it shall be awarded based, primarily, on the institutional benefit to the University system.

Section 60.4 – Personnel actions by the new unit prohibited

The unit where faculty renders services in accordance with this leave shall make no changes in academic rank, nor shall the new unit take such action as promotions or the granting or denial of tenure while the employee is on that temporary assignment.

Section 60.5 – Evaluations

Employees on in-service leave shall be subject to the usual evaluations. A copy of the same shall be sent to the original unit for any such action that may be deemed pertinent.

Section 60.6 – Salary

The employee on in-service leave shall be paid in accordance with the pay scale applicable to the unit where they shall render temporary services. Once the work is completed, they shall return to their original position and to the salary conditions applicable to the unit of origin.

Section 60.7 – In-service leaves for exchange programs

In-service leaves shall be granted to faculty, pursuant to this Article, for the purposes of rendering temporary service, either to teach or render administrative or special services, in any exchange program the president may create through formal agreements with educational institutions, cultural or research centers, or other public or private entities. Leave shall be granted in the employee's same category or rank for periods not exceeding one (1) year, renewable for up to two (2) years. The provisions of Sections 60.2 through 60.6 of this Article shall apply to this type of leave.¹³¹

Article 61 – Short Term Absences

Section 61.1 – During the academic term

Any professor who has a justifiable reason to be away from Puerto Rico for a period not exceeding two (2) weeks during the academic term when teaching or performing academic or administrative tasks must obtain prior authorization from their immediate

¹²⁹ **Note:** Cf. Amended Board of Trustees Certification No. 47 (1994–95).

¹³⁰ **Note:** Cf. Amended CES Certification No. 178 (1987–88).

¹³¹ **Note:** Cf. CES Certification No. 178, (1987–88); Cf. Board of Trustees Certification No. 47 (1994 –95).
[Continuación]

supervisor and the dean. Absences for longer periods shall require the approval of the Administrative Board.¹³²

Section 61.1.1 – Arrangements meeting responsibilities

The professor, in coordination with the department chair, shall make sure all the necessary arrangements are in place so that their teaching duties and other responsibilities are properly met during their absence.

Section 61.2 – During non-teaching periods

Professors who must be away from Puerto Rico during non-teaching periods within each academic semester shall notify the respective department chair.

Article 62 – Special Assignments (*Destaques*)

Section 62.1 – Cases in which they may be authorized

Special assignments may be authorized when, with the consent of the employee involved, in the interest of the institutional unit and under exceptional circumstances, university staff are required to undertake special tasks within the scope of their positions and functions. Such employees may be relieved from their teaching, technical, or administrative duties and special assignments may be conducted either in Puerto Rico or abroad.

Section 62.2 – Authorization by the Administrative Board

Special assignments which involve being absent from one's regular work for one (1) semester or more shall be authorized by the respective Administrative Board upon the chancellor's recommendation.

Section 62.3 – Authorization by the chancellor

In all other cases, special assignments shall be authorized by the chancellor on their own initiative or upon recommendation of the president of the University or college deans.

Section 62.4 – Cases in which special assignments shall not be authorized

Special assignments shall not be authorized for purposes that normally can be dealt with by means of a sabbatical leave, paid extraordinary leave, or unpaid leave with financial assistance.

Section 62.5 – Prohibition against additional compensation

A person on special assignment may not receive additional compensation for their work.

¹³² **Note:** Cf. Amended Board of Trustees Certification No. 47 (1994–95).

Article 63 – Faculty Duties and Functions*Section 63.1 – Faculty members in general*

In addition to the responsibilities described in Articles 64 and 65 and in other provisions of these Regulations, faculty members in general shall have the following responsibilities:

Section 63.1.1 – Development of objectives

Work toward the effective development of the objectives of their department, college, and institutional unit and those of the University.

Section 63.1.2 – Attendance at meetings

Attend faculty meetings of the department, college, or institutional unit to which they are attached.

Section 63.1.3 – Presentation and discussion of issues

Participate in the presentation and discussion of issues and recommendations before the appropriate bodies in relation to questions that may affect the orientation and development of their department, college, and institutional unit, by using the mechanisms and procedures for doing so established by law or regulations.

Section 63.1.4 – Respect for fundamental values

Ensure that within the scope of their actions, whether in their teaching positions, the library, scientific research, or the dissemination of technical knowledge, the greatest respect be given to intellectual honesty, to the pursuit of truth, and to dissenting opinions.

Section 63.1.5 – Participation in consultation processes

Participate in consultation processes for the appointment of officials, as established in these Regulations.

Section 63.1.6 – Participation in elective processes

Participate in the various elective processes of their department, college, or institutional unit, as provided in these Regulations.

Section 63.1.7 – Knowledge of current state of their academic discipline

Keep current in their area of specialization and informed about the educational and cultural trends of their time.

Section 63.1.8 – Participation in professional development programs

Participate in programs of professional training and development offered in the department or college.

Section 63.1.9 – Participation and cooperation in evaluation processes

Participate and cooperate in the process of evaluation their work and that of their fellow faculty members.

Section 63.1.10 – Academic program planning

Participate in the planning of the academic program of their department or college.

Section 63.1.11 – Observing obligations related to teaching functions

Rigorously meet the obligations established in Sections 64.1 through 64.7.1 of these Regulations.

Section 63.2 – Faculty engaged in research

The following shall be the special responsibilities of faculty engaged in research:

Section 63.2.1 – Research needs

Stay abreast of the research needs of their disciplines.

Section 63.2.2 – Research

Originate, carry out, or collaborate in studies and research projects to identify and solve problems using such methods and techniques as meet the rigorous standards of scientific research.

Section 63.2.3 – Scientific research programs

Collaborate in the preparation and development of the scientific research programs in their department or college, for their cultural and scientific development.

Section 63.2.4 – Teaching of scientific research methods

Contribute to the improvement of the teaching methods of scientific research.¹³³

Section 63.3 – Faculty librarians

The following shall be the special responsibilities of faculty librarians:

Section 63.3.1 – Development of library services in support of academic programs

Develop, in collaboration with the different colleges, those services, programs, and bibliographical and audiovisual collections that reflect current curricular trends, and support the academic programs of their institutional unit.

Section 63.3.2 – Bibliographical and audiovisual materials

Select, acquire, maintain, and supply bibliographical, audiovisual, and reference materials that cover the different areas of knowledge.

Section 63.3.3 – Assistance to library users

Assist, orient, and instruct library users in the search for and utilization of library resources.

¹³³ **Note:** Cf. Amended CES Certification No. 173 (1987–88).

*Section 63.4 – Faculty counselors, social workers, and psychologists**Section 63.4.1 – Planning and development of counseling, social work, and psychological services in support of the university student community*

Plan, develop, and implement, in accordance with the standards of the profession, the different service programs, in its various forms, aimed at the populations served within the university student community.

Design strategies and develop methodologies, research, projects, and studies, or other creative work typical to their profession, for the benefit of the student population served.¹³⁴

Article 64 – Teaching*Section 64.1– Hours per week*

The regular faculty workload requires full-time university service of thirty-seven and a half (37 ½) hours per week.

Section 64.2 – Assignment of responsibilities

It shall be the responsibility of the department chair in consultation with the professor and with the approval of the dean of the college of school to assign the professors their tasks.

Section 64.3 – Equivalence of administrative functions and other duties

Faculty members who have been assigned administrative functions or who carry out special tasks in creative work, service, research, or other analogous tasks, shall be assigned equivalences for those tasks in such a way that these meet the required workload. The professors shall submit a report of the work completed to the respective authority.¹³⁵

Section 64.3.1 – Equivalence for duties relating to the University Intramural Practice Plans

As a rule, the functions and duties carried out by faculty under the University Intramural Practice Plans, created pursuant to Law No. 174 of August 31, 1996, shall not be assigned an equivalence so they may meet the required workload. Exceptions may be made when the project or university practice activity, in the opinion of the authorities, may be considered an academic activity.¹³⁶

Section 64.3.2 – General rules

The University Board shall submit to the Governing Board for its approval a body of general rules establishing criteria for such equivalences, including criteria to establish exceptions for duties and functions relating to the University Intramural Practice Plans.¹³⁷

¹³⁴ **Note:** Cf. Amended Governing Board Certification No. 14 (2014–15).

¹³⁵ **Note:** Cf. Amended CES Certification No. 173 (1987–88).

¹³⁶ **Note:** Cf. Amended Board of Trustees Certification No. 124 (1994–95).

¹³⁷ **Note:** Cf. Amended Board of Trustees Certification No. 124 (1994–95).

Section 64.4 – Faculty keeping non-teaching-staff schedule

Faculty with executive or administrative duties, such as dean, chair of a department or school, or director of an institute or program, or assistant to these officers, as well as professional librarians, counselors, social workers, and psychologists, and those faculty members engaged in scientific research or in the dissemination of technical knowledge, shall keep the regular schedule of non-teaching staff.

Section 64.5 – Faculty workload

For teaching faculty, the workload of thirty-seven and a half (37½) hours per week shall be made up of different elements, in varied proportions, as is established in Article 65. The academic schedule may differ from the administrative schedule.

Section 64.6 – Compensation for courses in the Extension Division

No compensation shall be paid to any faculty member for teaching courses in the Extension Division (or its equivalent), if these courses are a part of their regular minimum workload.

Section 64.7 – Work outside the University

The Administrative Board of each campus shall recommend to the University Board rules to govern the rendering of paid services outside the University. The University Board shall study these rules and send its version thereof to the Governing Board for approval and revision.¹³⁸

Section 64.7.1 – Interference with university tasks

Paid work outside the University of the private practice of a profession shall not be allowed to interfere with a professor's regular academic responsibilities. Professors are required to submit to their respective appointing authorities an annual report of all work undertaken outside the University, showing that such tasks do not interfere in any way with the performance of the university tasks and responsibilities.

Article 65 – Elements of the Academic Workload*Section 65.1 – Direct contact hours*

The teaching load of each professor shall be equivalent to twelve (12) credit-hours weekly of direct contact with students, in keeping with the equivalence tables approved by the Governing Board and which have been formulated by the University Board in consultation with the administrative boards.

Section 65.2 – Office hours for individual attention to students

In addition to classroom work, the professor shall spend six (6) hours a week giving individual attention to students. The office hours shall be set by the professor and approved by the department chair, taking into account the hours that are most beneficial for the

¹³⁸ **Note:** Cf. CES Certification No. 141 (1987–88), 63 (1988–89).

students. Academic counseling of students is an inherent part of teaching, and it shall be understood that the professor is to strive to impart it when needed.

Section 65.3 – Office hours for preparing courses and other job-related duties

Professors may use fifteen (15) hours per week for preparing their courses, for doing research, for preparing and correcting exams, and for doing the necessary office work.

Section 65.4 – Meetings and other related activities

Professor may use approximately (4 ½) hours weekly for tasks related to teaching, which shall include department, college, and faculty meetings, as well as meetings for the coordination of courses.

Section 65.5 – Adjustments in the distribution of working hours

When the twelve credit-hours assigned to a professor require more than twelve (12) hours of work per week, the distribution of the remaining working hours shall be adjusted so that the total workload does not exceed the set thirty-seven and a half, (37 ½) hours.

Section 65.6 – Variations in the distribution of working hours for some specific institutional units

The aforementioned distribution, as well as the equivalences in credit-hours may vary in some institutional units, such as the Medical Sciences Campus or any other campus where there are special needs as to university service. The variations must be approved by the University Board.

Section 65.7 – Supervision of compliance with schedule

Department chairs and deans shall supervise the teaching faculty in regard to rigorous compliance with the provisions of Sections 65.1 through 65.5.

Section 65.8 – Summer session work

Professors who, during the regular academic or fiscal year, carry out paid administrative tasks shall not be eligible to teach in the summer session for additional compensation, except where there is no other available professor. Any exception to this rule must be evaluated and approved by the respective Administrative Board, at the request of the chancellor. The president, at the request of the chair, shall evaluate and approve any exception that arises in the institutional units under their jurisdiction.¹³⁹

Section 65.9 – Complementary work to compete the regular workload

When necessary due to reduction in enrollment or the elimination of courses, the department chair shall, with the approval of the dean, and after consulting with the professor affected, assign such professor some work to complete their regular workload, this may be done with night and extramural courses or by assigning the professor other

¹³⁹ **Note:** Cf. Board of Trustees Certification No. 47 (1994–95).

academic or administrative tasks. If the professor refuses to accept such an assignment their salary shall be reduced correspondingly.

Section 65.10 – Disagreement over the assignment of tasks

When there is disagreement between a professor and the department chair over the academic workload that has been assigned to the professor, the latter may appeal to the dean of the college, or to the appropriate officer in the case of autonomous units, who shall resolve the problem in no more than fifteen (15) days. During the appeal, the professor shall comply with the workload provisionally assigned to them by the dean.

Section 65.11 – Additional compensation

Additional compensation should always respond to institutional interests. The administrative boards shall establish criteria of academic excellence, including compensation caps that department chairs and deans may grant. Department chairs and deans shall also consider the availability of budgetary resources. Department chairs shall authorize compensation for teaching courses. If the professor's regular schedule has been replaced with other tasks, regardless of the amount of credits replaced, or when the additional task is an activity other than teaching courses, authorization by the dean shall be required. In extraordinary circumstances, when additional compensation in excess of the maximum established by the administrative boards is necessary, these shall be evaluated by the deans, who shall make recommendations to the chancellor. The chancellor shall issue a final decision no later than three (3) weeks after the beginning of the semester.

Should the chancellor fail to render a decision within the prescribed time, the recommendation of the dean shall be deemed approved.

When additional compensation is necessary for faculty discharging administrative functions, such compensation shall be approved by the chancellor.

Compensation granted for functions and tasks relating to Intramural Practice Plans shall not be considered for the purposes of the limitation established in the above paragraph.¹⁴⁰

Section 65.11.1 – Participation on committees not to involve additional compensation

No additional compensation shall be paid for participating on departmental or college committees at the different institutional units.

Article 66 – Faculty with Administrative Duties

Section 66.1 – General rule

Faculty appointed in the colleges but performing administrative tasks for the central offices of the University (in the offices of the Governing Board, the president, the Central Administration, the chancellor, the chair or director of other institutional units, the

¹⁴⁰ **Note:** Cf. CES Certification No. 173 & 178 (1987–88); Board of Trustees Certification No. 124 (1996–97); Amended Board of Trustees Certification No. 75 (2000–01).

[Continuación]

University Board, the academic senates, or the administrative boards) or for a department, college, or school, shall be governed by the following rules:¹⁴¹

Section 66.1.1 – Tenured faculty

Tenured faculty shall retain their tenured status while fulfilling their administrative duties, whether in the central offices of the university or in a department, college, or school, and may teach or carry on other faculty functions in their area of specialization, ad honorem, as their principal obligation may allow.

Section 66.1.2 – Faculty with probationary appointments with three (3) years of service in administrative duties at the central offices of the University

Faculty with probationary appointments, at least three (3) years of satisfactory service in their duties as faculty, and who work in the central offices of the University must teach ad honorem a course of a least three (3) credits per semester in the college or unit of origin or in any other unit of the University System, for the time served in those administrative tasks to count toward acquiring tenure in their teaching positions.

Section 66.1.3 – Faculty with probationary appointments with three (3) years of service in administrative duties at a college or school

Faculty with probationary appointments, at least three (3) years of satisfactory service and administrative duties in a college or school, must teach a course of a least three (3) credits per semester, or carry out an equivalent academic or teaching task for the time served in the administrative tasks to count toward acquiring tenure in their teaching positions. The task must be performed at the school or college to which the person is attached.

Section 66.1.4 – Evaluations to take limitations of time into account

The time during which the faculty member performs administrative tasks as their principal function may be counted as satisfactorily rendered years of service toward tenure and shall be evaluated by the appropriate committees. Such evaluations shall be based on courses taught or other faculty responsibilities carried out.

Section 66.2 – Administrative duties

Administrative duties include such tasks as planning, organizing, and heading the institution and are divided into two types: administrative-teaching duties and purely administrative duties.

Section 66.2.1 – Administrative-teaching duties

Administrative-teaching duties include: supervision, evaluation, coordination, and direction of a teaching program; direct and non-incident participation in the formulation of academic policy at the college, institutional-unit or System level.

¹⁴¹ **Note:** Cf. CES Certification Nos. 55 (1974–76), 3 (1975–76), 133 (198 –82), 98 (1997–98); Board of Trustees Certification No. 47 (1994–95).

Administrative-teaching duties shall be performed by individuals with the academic background and experience that qualify them to teach, as it requires knowledge and understanding of the educational process and competencies in an academic field.

Section 66.2.1.1 – Administrative-teaching positions

Administrative-teaching duties include such positions as president, chancellor, dean, associate and assistant deans of academic affairs, vice president of academic affairs at Central Administration, dean and associate deans of a college, dean of school or director of a research center, and any other position that meets the requirements provided in the section above, as determined by the administrative boards of the respective units.

Section 66.2.2 – Purely administrative duties

Administrative duties include such tasks that provide and develop the conditions and means necessary to discharge institutional goals.

Section 66.3 – Rules applicable to tenured faculty in administrative positions

Faculty shall keep their tenure while performing administrative duties, whether at the level of the central offices, campus or System, or at a college or school, and may be eligible for promotions pursuant to the following rules:

Section 66.3.1 – Promotions for tenured faculty performing administrative-teaching duties

Tenured faculty performing administrative-teaching duties may, for the purposes of promotions, accumulate years of service while performing such duties.

Section 66.3.2 – Promotions for tenured faculty performing purely administrative duties

Tenured faculty performing purely administrative duties may, for the purposes of promotions, accumulate years of service while performing such duties, provided that, together with their administrative duties, they perform the equivalent of one-fourth of their academic workload at any of the institutional units of the University System.

Section 66.4 – Rules applicable to faculty with probationary appointments in administrative positions

Faculty with probationary appointments performing administrative duties, whether at the level of the central offices, campus or System, or at a college or school, may be eligible for tenure or promotion, pursuant to the following rules:

Section 66.4.1 – Tenure for faculty with probationary appointments in administrative positions

Faculty with probationary appointments performing administrative-teaching or purely administrative duties may, for the purposes of tenure in their faculty position, accumulate years of service while performing such duties, provided that, together with their administrative duties, they perform the equivalent of one-fourth of their academic

workload in their area of specialization at the college or institutional unit or origin or at any unit in the University System.

Section 66.4.2 – Promotions for faculty with probationary appointments in administrative positions

Section 66.4.2.1 – Promotions for faculty with probationary appointments performing administrative-teaching duties

Faculty with probationary appointments performing administrative-teaching duties may, for the purposes of promotions, accumulate years of service while performing such duties, provided that, together with their administrative duties, they perform the equivalent of one-fourth of their academic workload in their area of origin or at any unit in the University System.

Section 66.4.2.2 – Promotions for faculty performing purely administrative functions

Faculty with probationary appointments performing purely administrative duties may, for the purposes of promotions, accumulate years of service while performing such duties, provided that, together with their administrative duties, they perform the equivalent of one-fourth of their academic workload in their area of specialization at the college or institutional unit or origin or at any unit in the University System.

Section 66.4.3 – Tenure and promotions for faculty with probationary appointment performing administrative-teaching duties with at least three months of service in their teaching position

Faculty with probationary appointments with at least three (3) years of satisfactory service in their teaching position before performing such administrative-teaching duties are excluded from the foregoing, and may accumulate years of service while performing administrative-teaching duties for the purposes of promotions or tenure in their teaching position.

Section 66.5 – Evaluation of administrative duties

Their superiors shall evaluate their administrative duties in accordance with Section 66.2, using criteria and instrument analogous to those used to evaluate faculty duties. If the superior leaves their position, they shall leave a written evaluation report on the faculty member performing administrative duties and shall deliver a copy of the report to the faculty member. The report shall be part of the person's file, which shall be considered by the appropriate personnel committees. The institutional units shall design an assessment tool to be used by the personnel committees that incorporates the evaluation of the faculty member performing administrative duties. The appropriate personnel committees, when acting on cases covered under this section, shall their own evaluation and that of the faculty's superior.

Section 66.6 – Joint appointments

In all cases, the employee appointed to an administrative position shall have a joint appointment, and their category, rank, and status of their faculty appointment shall be identified, in addition to their administrative position.

Article 67 – Academic Distinctions*Section 67.1 – Granting authority*

The Governing Board shall be the only body that, on recommendation of the president of the University or an academic senate, or on its own initiative, may create or grant academic distinctions on behalf of the University.

These distinctions may consist of emeritus professorships or positions, distinguished professorships, honorary degrees or positions, certificates, diplomas, or medals of recognition, and any other similar distinction.¹⁴²

Section 67.2 – Channeling of proposals

Proposals for the granting of honorary degrees and distinctions originating in the departments or colleges shall be channeled through the Academic Senate.

Section 67.3 – Granting of academic distinctions

Academic distinctions shall generally be granted at commencement exercises of the University, along with the diploma, the person invested shall receive a document setting out the merits on which the granting of the distinction is based. Diplomas, certificates, and documents shall be signed by the chair of the Governing Board and the president of the University; the chancellor of the institutional unit which originated the proposal shall also sign.

Section 67.4 – Emeritus professor

This distinction shall be granted to professors of the University who have retired from active service and who deserve such recognition for having distinguished themselves exceptionally in teaching. Their accomplishments in scientific research, their literary or artistic creativity, their published works, or their contribution to public service shall also be taken into account. Those persons who receive this honorary distinction shall have the same academic rights and privileges as faculty, without the obligation to teach.

Section 67.5 – Distinguished professor

This shall be the highest honor granted by the University to those professors whose academic service has resulted in work of recognized merit, who have shown themselves to be dedicated to teaching and to creative work, and whose lives have been an ornament to the University. The professor who receives this distinction shall be exempt from all routine university tasks and shall be allowed to select, in consultation with the appointing authority, the work they shall do in the course of each academic session.

¹⁴² **Note:** Cf. CES Certification No. 147 (1984–85).

Section 67.6 – Doctor honoris causa

This is an exceptional academic degree granted to faculty members or private citizens for their contributions to the development of the Arts and Sciences or for any other manifestation of human knowledge, whether in their professional field or through acts that promote the development of humanity's highest values.

Section 67.6.1 – Requirements

To be considered as a candidate for an honorary doctorate (*doctor honoris causa*), the following requirements must be met:

Section 67.6.1.1 – Distinguished service

Distinguished service in a function or capacity which has resulted in an extraordinary contribution to the community or in benefit of humanity.

Section 67.6.1.2 – Dedication

Exceptional life-long dedication to a purpose or cause of high merit.

Section 67.6.1.3 – High level of excellence

Achievement of a high level of excellence in a particular field of activity, in the Arts, the Sciences, or in one's profession.

Section 67.6.1.4 – Personal acceptance

The person may not be deceased at the time the Governing Board makes its decision.¹⁴³

Article 68 – Academic Recognition*Section 68.1 – Granting authority*

Academic recognition may be granted at the level of the different institutional units or at the initiative of the respective academic senates, the chancellors, or the president of the University.

Section 68.2 – Two types of honors

There shall be two types of honors granted before the age of retirement to distinguished members of the faculty:

Section 68.2.1 – University lectureships

In each university campus or unit, up to three University lectureships may be established to which may be elected, for one (1) academic year, those professors who achieved full maturity in their teaching and intellectual life and are at the point of concluding a piece of research and study of general application within an academic discipline. The publication of a work with the University Press may complement a

¹⁴³ **Note:** Cf. CES Certification No. 8 (1987–88).

designation to such a chair. The professor shall be exempt from all other academic tasks while occupying the chair.

Section 68.2.2 – Distinguished lectureships

The Academic Senate may honor any distinguished professor offering them the opportunity to lecture on a theme selected by the professor, and on such an occasion the profession shall be invested with this high honorary distinction.

Article 69 – Special Chairs

Section 69.1 – Authorization

The Governing Board, on recommendation of the president of the University or an academic senate, or on its own initiative, shall be the only body with authority to create special chairs to honor permanently the memory of a distinguished individual with international renown for their contribution to one or more areas of knowledge, to promote research and creative work, and to award excellence and productivity of the person designated to it.¹⁴⁴

Section 69.2 – Granting

Persons with a proven capacity for research and production in their discipline, whose proposal is selected in a contest or competition announced by the president of the University for such purposes, shall hold such chair for a period of no less than one (1) but no more than (2) years. The proper rules shall be adopted pursuant to Section 14.10.10 of these Regulations, after consulting with the academic senates.

Article 70 – Naming of University Halls, Structures, and Buildings

Section 70.1 – Purpose

The naming of university halls, structures, and buildings shall be done to honor and recognize distinguished individuals, as well as legal entities and individuals who have made significant contributions to institutional development programs.

University structures may be named to commemorate historical or cultural events.¹⁴⁵

Section 70.2 – Criteria

Halls, buildings, and other structures shall be named in accordance with the following criteria:

Section 70.2.1 – The proposal should be for individuals distinguished for their services to the University of Puerto Rico, to the country or outside of Puerto Rico, or who have a connection to the use given to the structure or premises.

Section 70.2.2 – Repeating names on similar structures should be avoided.

¹⁴⁴ **Note:** Cf. CES Certification No. 178 (1987–88).

¹⁴⁵ **Note:** CES Certification No. 55 (1988–89); Cf. Board of Trustees Certification No. 7 (1998–99).

Section 70.2.3 – The following are the criteria for naming university halls, buildings, and structures for legal entities or individuals who have contributed financially to institutional development programs:

a. Legal entities that have made financial contributions to institutional development programs must comply with the statutory, regulatory, ethical, and professional standards required for all organization to do business with the Government of Puerto Rico.

b. Such entities or individuals must be held in high regard and distinguished within the community.

c. The Governing Board shall decide each case on the merits before approving a proposal.

Section 70.3 – Channeling of proposals

Naming proposals originating in the departments or colleges shall be channeled through the academic senate of the respective unit.

The president of the University of Puerto Rico may submit proposals for naming university halls and buildings for corporate entities or individuals who have made significant contributions to institutional development programs. The president shall obtain the endorsement of the academic senate of the institutional unit where the structure to be named is located.

The proposals shall be referred to the Governing Board with the recommendation or endorsement of the corresponding academic senate. The Board shall approve the recommendation submitted, provided the criteria listed in the preceding sections have been strictly complied with.

The Governing Board shall notify the Public Structure and Highway Naming Commission once the name has been certified.

The Governing Board, on its own initiative, may name university halls, structures, and buildings.

Section 70.4 – Additional rules

Each academic senate may adopt additional rules for naming University halls, structures, and buildings and may establish the necessary procedures consistent with the foregoing sections.

CHAPTER VIII

PERSONNEL REGULATIONS PROVISIONS APPLICABLE TO NON-TEACHING STAFF

Article 71 – Confidential and Career Employees¹⁴⁶

Section 71.1 – General rule

Non-teaching staff who hold regular positions as university employees shall be divided into two groups: confidential and career employees.¹⁴⁷

Section 71.2 – Career employees

All non-teaching staff who hold regular positions as university employees and have not been appointed expressly to a confidential position under Section 71.3 shall be career employees, pursuant to Article 72.

Section 71.3 – Confidential employees

All university staff who hold a regular position as university employees and have been appointed expressly to a confidential position pursuant to the criteria and procedure provided herein shall be confidential employees.

Section 71.3.1 – Justification and requirements

Section 71.3.1.1 – Justification

The classification of a position as confidential, whether by law or regulations or by administrative discretion authorized herein, is based, essentially, on the agreement and affinity between the person who holds said position and the appointing authority.

Section 71.3.1.2 – Requirements

To classify an office or position as confidential under the discretion authorized herein, the following requirements must apply: (a) due to the nature or duties thereof, the person holding said position intervenes or substantially assists in the formulation of institutional public policy; (b) without participating in policy formulation, the person holding said position provides auxiliary services or assists the appointing authority in a manner that requires a high degree of personal trust;¹⁴⁸ (c) the person holding said position advises or serves the appointing authority directly; or (d) regulations adopted by the Governing Board classified the office or position as such.

¹⁴⁶ **Note:** Board of Trustees Certification No. 27 (2005–2006). Repeals CES Certification Nos. 63 & 86 (1987–88), 84 & 116 (1991–92); Board of Trustees Certification Nos. 14, 157 & 195 (2000–01).

¹⁴⁷ **Note:** CES Certification Nos. 145 (1978–79), 22 (1979–80).

¹⁴⁸ **Note:** CES Certification No. 77 (1981–82).

Section 71.3.2 – Confidential positions created by law or regulations

The following shall be confidential positions, and those appointed to such positions shall be confidential employees:

- a) Positions created by the University of Puerto Rico Act, as amended.
- b) Positions for which appointments are made by the Governing Board or which are subject to the approval thereof.
- c) Positions held by officers who act as immediate advisers of the president or of the chancellors and who assist in the formulation of institutional public policy.
- d) The secretaries of the University Board, the academic senates, and the administrative boards.
- e) Aides who render services directly to the president and to the chancellors, when these positions require a high degree of personal trust.
- f) Directors of organizational units attached to institutional units, including Central Administration, who also meet the requirements provided in Section 71.3.1.
- g) Positions classified as such by laws applicable to the University or by regulations adopted by the Governing Board.

Section 71.3.3 – Other confidential positions

For the creation, modification, consolidation, or elimination confidential positions, in addition to those indicated in subdivisions (a) through (e) and (g) of Section 71.3.2, the following procedure shall apply:

- a) The chancellors of the institutional units shall submit all requests for the creation, modification, and consolidation of confidential positions to the president for approval before filling such positions. The request must be based on financial and operational considerations and must meet the requirements provided in Section 71.3.1. The elimination of a confidential position must be justified and, where applicable, must comply with subdivision (c) of this section. The provisions established in this section shall apply to all positions under Section 71.3.2(f). The president also shall comply with the provisions established herein, but shall submit their requests to the Governing Board.
- b) The reclassification of a career-track position to a confidential position shall be authorized only when the career-track position is vacant, unless the person holding said position expressly consents to the reclassification in writing.
- c) The reclassification of a confidential position to a career-track position shall be authorized only when the duties of the position or the organizational structure of the unit has changed when the reclassification is so justified, and only if the position is vacant. However, if the position is not vacant, the reclassification may be authorized if the person filling the position meets the requirements established

for the career-track position and the appointing authority certifies that they have rendered satisfactory service.

- d) Once the president has authorized the creation, modification, consolidation, or elimination of any confidential position, they shall notify the Governing Board and submit a report on the matter for approval. This report shall include a list of the confidential positions in all University System units.

Section 71.3.4 – Appointment and termination

Confidential employees shall be appointed and terminated at will.

Section 71.3.5 – Application of personnel regulations

The provisions of this chapter regarding selection, appointment, remuneration, and termination shall not apply to positions or offices mentioned in Section 71.3.2 or to those created pursuant to Section 71.3.3, nor shall they be applicable to those holding said positions.

Section 71.3.6 – Right to be reinstated; career employees

All employees who hold a regular permanent career-track position and are appointed to a confidential position shall have the absolute right to be reinstated in a position equal or comparable to the career-track position previously held once they cease to be a confidential employee, either voluntarily or by determination of the appointing authority. This right shall not apply to employees who have been removed from a confidential position through formal charges. Provided, moreover, that upon reinstatement to their career-track position, the employee shall receive all the benefits regarding classification and salary extended to that position during the time they served as a confidential employee.

Section 71.4 – Effect of the amendment

Article 72 of these Regulations shall be applicable to situations where employees holding a position that might be affected by the adoption of this amendment.

Section 71.5 – Duty to report and keep a record

The president and the chancellors shall report annually to the director of the central Office of Human Resources all confidential positions at their respective units, with the justification for including the position as a confidential position and the grounds for appointment. The director of said office shall be responsible for keeping a record of all confidential employees. This record shall include the information that must be sent to the central Office of Human Resources, as required herein, as well as any other information the director considers necessary to keep an effective record. An electronic version of this record shall also be kept.

Article 72 – Effect of the Approval of These Regulations on the Classification of Non-Teaching Staff as Career or Confidential Employees

Non-teaching staff who held their positions at the time these Regulations took effect (January 1, 1979) shall have the following status:

Section 72.1 – Employees who held confidential positions

Non-teaching staff who held confidential positions shall continue to serve as such, at the discretion of the appointing authority.

Section 72.2 – Employees on probationary or permanent status in positions now classified as confidential

Employees on probationary or permanent status in positions herein classified as confidential shall continue as such, but may be transferred to career-track positions of equal or similar category and pay grade. Under no circumstances may this type of change result in a salary lower than received prior to the transfer.

Section 72.3 – Employees with probationary appointments in career-track positions

Employees with probationary appointments in career-track positions shall continue to be employees until such status is changed.

Section 72.4 – Employees with temporary appointments in career-track positions

Employees with temporary appointments in career-track positions shall continue as such until the expiration of their appointments.

Section 72.5 – Permanent employees in career-track positions

Permanent employees in career-track positions shall continue under permanent status with all the rights conferred thereby.

Article 73 – Classification Scheme*Section 73.1 – Preparation and approval*

The president, in consultation with the chancellors, shall prepare a Classification Scheme for Non-Teaching Staff. The president shall submit any updates to the classification scheme to the Governing Board for approval.¹⁴⁹

Section 73.2 – Content

The classification scheme shall contain the guidelines for implementation. It shall also establish the necessary procedures for chancellors or employees affected by a classification review or reclassification of a position, through the chancellor, to review said decision.

¹⁴⁹ **Note:** Cf. CES Certification Nos. 43 & 34 (1977–78); 102 (1979–80); 70 (1981–82); 84 (1991–92).

Section 73.3 – Newly created positions

The central Office of Human Resources shall determine the classes that shall apply to newly created positions in each institutional unit, pursuant to the rules established in the classification scheme.

Article 74 – Remuneration Scheme*Section 74.1 – Official salary scale*

The Remuneration Scheme shall be the official University salary scale for non-teaching staff and will be applied to the processing of payrolls and disbursements.¹⁵⁰

Section 74.2 – Preparation and approval

The president shall review the remuneration scheme for non-teaching positions and shall submit the revisions to the Governing Board for approval.

Section 74.3 – Content

The remuneration scheme shall contain scales and rules necessary to determine salaries based on academic preparation, efficient performance, and seniority.

Article 75 – Recruitment*Section 75.1 – Posting and notice of job openings*

The central Office of Human Resources, in coordination with the human resources offices of the institutional units, shall be responsible for posting and notifying job openings to attract the best candidates to serve in the various institutional units.¹⁵¹

Section 75.2 – Recruitment criteria

The central Office of Human Resources, in consultation with the human resources offices of institutional units, shall formulate and keep current the recruitment criteria for all classes of non-teaching career-track positions. Such criteria shall cover:

Section 75.2.1 – Eligibility requirements

The requirements candidates must meet to be eligible for the non-teaching positions.

Section 75.2.2 – Types of examinations

The types of examinations to be administered for each class of position, the basis for classification, and the duration of the probationary period.

Section 75.2.3 – Positions to be filled by promotions

Positions to be filled only by university staff.

¹⁵⁰ **Note:** Cf. CES Certification Nos. 49 (1975–76); 43 (1977–78); 34 (1978–79); 69 (1981–82).

¹⁵¹ **Note:** Cf. CES Certification Nos. 65 (1981–82); 104 (1985–86); 84 (1991–92); 69 (1981–82).

Section 75.2.4 – Positions to be filled by open competition

The classes of positions that shall be filled by open competition; *i.e.*, positions open to all interested candidates, whether or not they are university employees.

Article 76 – Means of Evaluation*Section 76.1 – Purposes*

A system of examinations shall be used to measure capacity, ability, and special skills of all candidates to a non-teaching career-track position.

Section 76.2 – Preparation and administration

The central Office of Human Resources shall coordinate the planning of human resource needs in the various institutional units and shall prepare and administer the competitive examinations. Under special circumstances, the central Office of Human Resources may delegate the preparation and administration of the examinations to the human resources offices of the institutional units.

Section 76.3 – Use of resources at the institutional units

The director of the central Office of Human Resources, in coordination with the directors of the institutional units and with the approval of the respective appointing authority, may request the assistance of university officers and employees to prepare, administer, and grade the examinations. The central Office of Human Resources shall compensate such staff for expenses incurred and for the work performed in excess of their regular hours.

Section 76.4 – Types of examinations

Examinations shall be written or oral and shall evaluate physical skills, experience, academic preparation, and examine the applicant's employment and training record and, preferably, a combination of the above.

Section 76.5 – Minimum required score

Applicants must obtain, at least, the minimum passing score required on the examination in order to be considered for a position. Pursuant to the Bill of Rights of the Puerto Rican Veteran, five (5) additional points shall be added to the final score of any veteran who passes the examination.

Section 76.6 – Information concerning results

The person examined shall have the right to be informed of the score received and to request a review of the examination results if in disagreement.

Section 76.7 – Reviewing results

A petition for review shall be made within a maximum period of thirty (30) days from the date the results were officially notified. The official notice shall be sent by mail. If the applicant's score or their placement in the list of eligible applicants changes as a

result of the review process, the appropriate adjustments shall be made. This shall not invalidate appointments made prior to the review process.

Section 76.8 – Posting announcements

The director of the central Office of Human Resources, in coordination with the human resources offices of the institutional units, shall post announcements regarding entrance and promotion examinations.

Section 76.9 – Processing of applications

Applications received as a result of a job opening shall be reviewed to determine which should be accepted or rejected.

Section 76.10 – Rejection of applications

A person whose application is rejected shall be sent a confidential notice in writing. Applications shall be rejected for any of the following reasons:

Section 76.10.1 – Late filing

Applications submitted after the deadline.

Section 76.10.2 – Dishonorable conduct

The applicant has engaged in dishonorable conduct and has not been rehabilitated so as to be eligible to compete for employment in public service.

Section 76.10.3 – Criminal conviction

The applicant has been convicted of a felony or any crime involving moral turpitude, when the applicant has not been rehabilitated so as to be eligible to compete for employment in public service.

Section 76.10.4 – Prior dismissal

The applicant was previously dismissed from public service and has not been rehabilitated so as to be eligible to compete for employment in public service.

Section 76.10.5 – Substance abuse

The applicant is addicted to habitual or excessive use of controlled substances or alcoholic beverages.

Section 76.10.6 – Misleading or fraudulent application

The application contains misleading or fraudulent information.

Article 77 – List of Eligible Candidates

Section 77.1 – Establishment of lists

The names of the applicants who pass the examinations shall be registered in descending order to establish the list of eligible candidates in each institutional unit for the various classes of positions.

Section 77.2 – List of eligible candidates for re-entry

In addition, special lists shall be created by job classification, which shall contain the names of persons entitled to re-entry. These lists shall be considered preferentially over any other list.

Section 77.3 – Period of validity

The period of validity of a list of eligible candidates shall not exceed three (3) years.

Section 77.4 – Complementary requirements for eligibility and ineligibility

The central Office of Human Resources, in coordination with the human resources offices of the various institutional units, shall establish complementary requirements regarding eligibility and ineligibility of candidates.

Article 78 – Certification and Selection*Section 78.1 – Procedure for filling vacancies*

Vacancies in non-teaching career-track positions shall be filled by certification and selected from among the names included in the list of eligible candidates.

Section 78.2 – Eligible candidates to be included in each certification

Each certification shall include the first five (5) candidates who are willing to accept appointment under the stipulated conditions.

Section 78.2.1 – Selection

Selection shall be made between the candidates included in the first or second certification.

Section 78.2.2 – Third certifications

Express permission from the appointing authority of the respective institutional unit shall be required to issue a third certification.

Section 78.2.3 – Changes in the number of eligible candidates to be included

Upon request by the central Office of Human Resources, the Governing Board may increase the number of eligible candidates included in each certification, by means of a certification to that effect, for up to a maximum of ten (10) candidates, or reduce it again to a minimum of five (5). The request presented by the central Office of Human Resources must be in writing and be well grounded. The central Office of Human Resources shall inform the university community of these changes at least thirty (30) days prior to the date they shall take effect.

Section 78.2.4 – Minimum validity of certifications concerning changes in the number of eligible candidates

All certifications in which the Governing Board exercises its discretion pursuant to Section 77.2.3 shall remain in effect for at least twelve (12) months.

Section 78.2.5 – Highly confidential positions

When positions involving a high degree of confidentiality, so certified by the chancellor of the institutional unit in writing, the latter may request that the president provide the entire list of eligible candidates for consideration.

Article 79 – Verification*Section 79.1 – Verification*

The human resources offices of the institutional units shall verify that the candidates selected meet the requirements established in the job posting. Verification shall include whether the candidate meets the requirement regarding licenses and membership in associations necessary to practice a profession or occupation required for the position to which the candidate shall be appointed, if applicable. Periodically, the human resources offices shall verify whether employees who hold these positions have kept the license requirement up to date. The director of the human resources offices of each unit, or their authorized representative, shall issue a certification to this effect, which shall be added to the employee's official file.¹⁵²

Section 79.2 – Medical certificate requirement

First-time appointees at the University shall be required to present a medical certificate indicating that they are physically and mentally able to carry out the duties of the position.

Section 79.3 – Procedure in case of doubt concerning physical or mental capacity

When there are reasons to believe that the person selected is physically or mentally unable to perform the duties of the position, the applicant may be required to undergo an examination by a physician selected by the appointing authority, at no cost to the applicant. Refusal to submit to the medical examination may constitute grounds for disqualification.

Section 79.4 – Discrimination based on disability prohibited

There shall be no discrimination against individuals with physical or mental disabilities whose condition does not prevent them from fulfilling the responsibility of the position for which they have applied.

Section 79.5 – Child support

Selected candidates may be required to present a certification indicating that they have no outstanding child support payments, pursuant to Section 30 of Law No. 86 of August 17, 1994 when there are reasonable grounds therefor.¹⁵³

¹⁵² **Note:** Cf. CES Certification No. 84 (1991–92).

¹⁵³ **Note:** Cf. Board of Trustees Certification No. 21 (1996–97).

Article 80 – Probationary Period*Section 80.1 – Required probationary period*

All persons appointed to fill a regular full-time position with a fixed budget allocation shall be subject to a probationary period as prescribed for the particular class of position. This period shall never be less than four (4) months nor more than twelve (12) months. Work performed during the probationary period shall be taken into consideration during the selection process.

Section 80.2 – Orientation and training during the probationary period

During the probationary period, the employee shall be fully informed of the duties and obligations of the position, and a genuine effort shall be made through orientation and training, so the employee may develop the necessary skills.

Section 80.3 – Evaluation of the employee’s performance

The immediate supervisor shall carry out the initial evaluation of the employee’s performance during the probationary period in order to submit recommendations to the appointing authority, through the deans or directors of autonomous schools, on whether or not the employee should be retained as a permanent employee.

Section 80.3.1 – Review of the evaluation report

The dean or the chief executive authority within the unit shall review the evaluation report prepared by the immediate supervisor and shall include their recommendations in a final report to be submitted the appointing authority. In order to do so, the dean or the appropriate authority may use such direct means of evaluation as deemed appropriate.

Section 80.4 – Extension of the probationary period

The appointing authority may extend the probationary period if, after the final evaluation of the employee’s performance, the immediate supervisor considers the employee might manage to execute the tasks satisfactorily if given an additional period of time. The probationary period may be extended for a term not exceeding half of the probationary period fixed for the position.

Section 80.5 – Recess in the probationary period

If during the probationary period, an employee must be absent from work for reasonable cause for a period not exceeding three (3) months, the appointing authority may allow the employee to continue in the position on unpaid leave, in which case, the probationary period shall be suspended until the employee returns to work.

Section 80.6 – Credit for previous similar positions

If, during the probationary period, an employee transfers to a position within the same or similar class, credit may be given for the part of the probationary period already served.

Section 80.7 – Credit for interim service

Any employee who, before the probationary appointment, performed the duties of that position satisfactorily on an interim basis, shall receive credit for that period.

Section 80.8 – Dispensation from the requirement

At the request of the dean or director of the office, and with the approval of the Office of Human Resources, an employee may be dispensed from the probationary period required when they previously resigned from a permanent regular position and are returning to a similar position within a period not to exceed two (2) years.

Article 81 – Severance During the Probationary Period*Section 81.1 – Cases in which severance may occur*

The appointing authority may remove an employee from the position at any time during the probationary period, or at the end of said period, if the evaluation of their work indicates that said employee is not competent or is unwilling to fulfill the duties of the position in a satisfactory manner, or if the employee's habits or lack of trustworthiness make them unworthy of continuing in the service of the University.

Section 81.2 – Prior notice to the employee

The employee shall be notified of the decision to terminate the appointment during the probationary period, or at the end thereof, with no less than thirty (30) days in advance. Whenever the notice is given in a period shorter than required herein, the employee shall be paid their salary during the days necessary to complete the minimum thirty (30) day term.

Section 81.3 – Reinstatement in previous position

When an employee with a permanent appointment is promoted and later fails the practical test, the employee shall be reinstated to their previous position. Whenever this is not possible, the employee shall be reinstated in a vacant position belonging to the same or similar class as that held before the promotion.

Section 82 – Permanent Appointments*Section 82.1 – General rule*

An employee acquires permanent status upon notice of their permanent appointment. The appointing authority shall extend permanent appointments to career employees after receiving a positive recommendation from the employee's immediate supervisor and of the administrative authority of the unit (dean, director, etc.). Recommendations shall be made immediately after the employee's probationary period has concluded. If there should be discrepancies in the recommendations, the appointing authority shall decide which recommendation to adopt.

Section 82.2 – Conditional permanent appointment

The appointing authority of the Mayagüez Campus may extend a conditional permanent appointment to non-teaching staff of the Agricultural Extension Service and of

the Agricultural Experimental Station who meet the following requirements: (1) have held an appointment in the Agricultural Extension Service or the Agricultural Experiment Station satisfactorily for a period not less than five (5) years; and (2) at the time of extending the appointment, there is also reasonable assurance that the Agricultural Extension Service or the Experimental Station shall receive external funds to finance said positions for a period of not less than three (3) years.

Employees in this classification shall automatically be furloughed when external funds with which such positions are financed are no longer received.

When there is a job opening for a permanent position at the Agricultural Extension Service or the Agricultural Experimental Station for which an employee holding a conditional permanent appointment qualifies, in the opinion of the appointing authority, such employee shall have a preferential right to that permanent position, all other things being equal.¹⁵⁴

Article 83 – Promotions

As a rule, and all other things being equal, preference shall be given to the promotion of the most capable and efficient persons in the University System to fill vacant non-teaching positions.

Article 84 – Transfers

Section 84.1 – Circumstances

The transfer of a career employee, if the interests of the University so require, may be carried out between two positions of the same or similar class, in situations such as the following:

Section 84.1.1 – At the employee’s request.

Section 84.1.2 – When functions or programs are eliminated and it is necessary to relocate employees.

Section 84.1.3 – When it is decided that the services of an employee may be put to better use in another college or division.

Section 84.1.4 – To staff new programs that require trained human resources.

Section 84.1.5 – To exercise the prerogatives established in Section 72.2.

Section 84.2 – Transfers within the same institutional unit

Transfers within the same institutional unit shall require the approval of the appointing authority, in consultation with the director of employee’s subunit of origin and the director of the subunit where the employee shall be transferred. When applying this

¹⁵⁴ **Note:** Cf. Board of Trustees Certification No. 166 (2000–01).

rule, efforts shall be made to balance the interests of the institution with the wellbeing and safety of the employee, whenever possible.

Section 84.3 – Transfer as a disciplinary measure

Transfers shall not be used as a disciplinary measure, nor shall they be carried out arbitrarily.

Section 84.4 – Transfers that require a change of residence

No transfer that would require a change of residence by the employee shall be made without the prior written consent of the employee affected and consultation with the respective appointing authority and the dean and the director of the subunit where the employee to be transferred works. The Agricultural Extension Service and those units where the conditions of employment stipulate that staff are subject to transfer shall be dispensed from the application of these provisions.

Section 84.5 – Prior notice to the employee

Except in emergency situations, the employee shall be notified thirty (30) days in advance of the effective date of the transfer.

Article 85 – Demotions

Section 85.1 – Circumstances

Career employees with permanent appointments shall be demoted only: at the request of the employee; when, for budgetary reasons, it is imperative to reduce the number of employees and relocation of the employee in a position similar to the one held is not possible; or for reasons of special interest to the institution. The consent of the employee must be obtained in the latter two cases. The provisions established in this section shall affect the application of Section 81.3.

Section 85.2 – Demotions upon request of the employee

When demotions are carried out upon request of the employee, and the employee's salary does not match any of the pay grades for the new position, the employee shall be assigned to the nearest pay grade below the salary the employee received before the demotion. If the employee's salary matches any of the pay grades corresponding to the new position, the employee shall be assigned to that level.

Section 85.2.1 – Demotions at the initiative of the institution

When the demotion is carried out at the initiative of the institution, and the employee's salary matches any of the pay grades for the new position, the employee shall be assigned to that level. If the employee's salary does not match any of the pay grades for the new position, the employee shall be assigned to the nearest pay grade above the salary received before the demotion. If the maximum pay grade for the new position falls below the employee's previous salary, the employee's salary shall remain unchanged.

Section 85.3 – Notice to the employee

The employee to be demoted for institutional reasons shall be notified in writing thirty (30) days in advance. The employee shall be informed of the reasons for the demotion, the terms and conditions, the title of the new position, and the salary to be received.

Section 85.4 – Refusal by the employee to accept a demotion

When a demotion is carried out for budgetary reasons and the employee does not accept the demotion, the employee shall be furloughed. However, the employee shall be advised of their right to appeal, following the appeals procedure established by the Governing Board.

Article 86 – Work Schedule*Section 86.1 – Regular work schedule*

The regular work schedule for non-teaching staff shall be seven and a half (7½) hours per day. When the nature of the service so requires, the regular work schedule shall consist of eight (8) hours.

Section 86.2 – Regular workweek

The regular workweek for non-teaching staff shall be thirty-seven and a half (37½) hours. When the nature of the service so requires, the regular workweek shall consist of forty (40) hours.

Section 86.2.1 – Regular weekdays

The regular workweek shall consist of five (5) days, and shall cover the period from Monday to Friday. Saturday and Sunday shall be rest days. Whenever service needs so require, the institutional units may establish a regular workweek which begins or ends on any day of the week, provided such workweek consists of only five (5) working days for every seven (7) calendar days. Each institutional unit, within the limits of this paragraph, shall establish the regular work schedule for non-teaching staff according to the needs of service.

*Section 86.3 – Regular hours**Section 86.3.1 – General rule*

As a rule, regular work hours shall consist of seven and half (7½) hours in any period of twenty-four (24) consecutive hours, or thirty-seven and a half (37½) hours in any week.

Section 86.3.2 – Special rule

Pursuant to Section 86.2, when a regular forty (40) hour workweek is established, the regular working hours shall consist of eight (8) hours during any period of twenty-four (24) consecutive hours, or forty (40) hours in any week.

Section 86.4 – Lunch break

In addition to the regular work schedule, non-teaching staff shall have a minimum of one-half (½) hour for lunch during the workday. This period shall be set by the university administration between the third and fifth consecutive hour of work. The administrative or academic units must schedule tasks in such a way so as to avoid having to reduce or eliminate a lunch break. If, due to the nature of the services or to a particular situation it is necessary for an employee to work during their lunch break, that time shall be credited as time worked regularly. If, as a result of having worked during the lunch break, the employee works more than the number of regular hours for that day, they shall be entitled to overtime compensation pursuant to Section 86.6.

Section 86.5 – Work plan for avoiding overtime

Each unit shall formulate a work plan in such a way as to minimize the need for working overtime. However, the appointing authorities or officers in whom these tasks are delegated may require employees to work more than their regular workday or week, or on any free day decreed by the governor or by the institution unit, as a result of the special nature of the services provided or to a particular situation.¹⁵⁵

Section 86.5.1 – Overtime

Payment for the services rendered pursuant to the preceding section shall be made when the immediate supervisor certifies the work was authorized and was carried out.¹⁵⁶

Section 86.6 – Compensation for overtime

Hours worked by non-teaching staff in excess of seven and a half hours (7½) in any twenty-four (24) hour period, or thirty-seven and a half hours (37½) during any given week, or applicable cases of eight (8) hour days or forty (40) hours a week, shall be considered overtime and subject to the following formula for compensation.

Section 86.6.1 – Compensatory time

Whenever possible, the employee shall be compensated in free time, at a rate of one and a half (1½) hours off for every hour worked overtime.

Section 86.6.2 – Payment in cash

If the employee is not given the opportunity to take compensatory time off, within a calendar month, they shall be paid in cash.

Section 86.7 – Holidays

Holidays and rest days worked by non-teaching staff shall be credited one hour for every hour worked, provided the time worked during the week does not exceed the maximum hours for a regular workday. Overtime shall be compensated at the rate of time-and-a-half, pursuant to Section 86.6.

¹⁵⁵ **Note:** Board of Trustees Certification No. 88 (1999–2000).

¹⁵⁶ **Note:** Board of Trustees Certification No. 88 (1999–2000).

Section 86.8 – Work on the seventh consecutive day

Hours worked by an employee on the seventh consecutive day of work—provided that the employee has worked the regular workday or a fraction thereof every day for the preceding six days—shall be compensated, whenever possible, with compensatory time off at the rate of two (2) hours for every hour worked. Whenever it is not possible to compensate with compensatory time off during the calendar month in which such services were rendered, compensation in cash shall be paid at twice the basic rate of pay.

Section 86.9 – Federal regulations

In addition to the foregoing, federal regulations regarding reasonable work standards shall be used as guidelines.

Article 87 – Attendance*Section 87.1 – Management of related issues*

Each chancellor shall manage issues related to employee work hours, work schedules, and attendance at their respective units following the guidelines issued by the director of the central Office of Human Resources.¹⁵⁷

Section 87.2 – Procedures in each institutional unit

Each institutional unit shall adopt the necessary internal procedures and systems that do not conflict with the rules provided herein to oversee and verify employee attendance.

Section 87.2.1 – Disciplinary actions

In coordination with the central Office of Human Resources, each unit shall determine the specific disciplinary actions that may be imposed on an employee who violates the procedures indicated in the preceding section.

Article 88 – Duties and Responsibility of Non-Teaching Staff

In addition to those arising from other provisions established herein, non-teaching staff shall have the following duties and responsibilities:

Section 88.1 – Attendance and punctuality

Attend work regularly and on time.

Section 88.2 – Performance of tasks

Perform duties and tasks assigned to their position diligently and efficiently, in addition to such other compatible responsibilities as may be assigned.

Section 88.3 – Compliance

Follow orders and instructions given by supervisors that are compatible with their authority and with the duties and objectives of the University.

¹⁵⁷ **Note:** Cf. CES Certification No. 84 (1991–92).

Section 88.4 – Standards of conduct

Maintain standards of proper, respectful and courteous behavior when treating their superiors and other members of the university community and the public in general.

Section 88.5 – Confidentiality

Maintain the confidentiality of work-related matters when so required, except when excused therefrom by the proper authorities.

Section 88.6 – Additional tasks

Be available to a reasonable degree to perform tasks during non-working hours, when the needs for service so requires and adequate advance notice is given, within the circumstances.

Section 88.7 – Care of property

Secure, protect, and safeguard public documents, property and interests in their custody.

Section 88.8 – Observance of applicable rules

Comply with the provisions established herein and in the University of Puerto Rico Act, as applicable, as well as the rules and regulations issued thereby.

Article 89 – Leave of Absence*Section 89.1 – Authority to grant leaves**Section 89.1.1 – Autonomous institutional units*

The administrative board of each campus or institutional unit, at the request of the chancellor, shall have the power to grant or deny requests for leaves to non-teaching staff.

Section 89.1.2 – Other units

The president shall have the power to grant and deny leaves to Central Administration staff.

Section 89.1.3 – Cases in which the intervention of the Administrative Board or the president shall not be required

Ordinary leave, sick leave, military leave, judicial leave, and maternity leave may be granted without the intervention of the Administrative Board or, where appropriate, of the president, according to the prevailing customary uses at the time these Regulations took effect.

Article 90 – Annual Leave*Section 90.1 – Definition*

Annual leave is the authorization to be absent from work granted to an employee in order to recover from the physical or mental fatigue caused by the performance of their duties.¹⁵⁸

Section 90.2 – Days accrued per month

All confidential employees and career employees with a permanent, probationary, temporary, or substitute appointment shall accrue annual leave at the rate of two and a half (2½) days for each calendar month of service. Employees working part-time shall accrue annual leave in proportion to the number of hours of service.

*Section 90.3 – Maximum accrual**Section 90.3.1 – General rule*

Employees may accrue annual leave up to a maximum of sixty (60) working days at the end of each calendar year. In extraordinary situations, so required by the needs of service, employees may accrue annual leave in excess of sixty (60) days.¹⁵⁹

Section 90.3.2 – Exhausting accrued annual leave

Employees who, under extraordinary circumstances, accrue annual leave in excess of sixty (60) days at the end of a calendar year shall exhaust said accrued excess within the first six (6) months of the following year. Days so used shall not be considered when calculating the maximum sixty (60) days of annual leave that may be used in the same calendar year pursuant to Section 90.5 of these Regulations.¹⁶⁰

Section 90.3.2.1 – Payment for unused annual leave

Days not used at the end the period of six (6) months provided in Section 90.3.2 shall be paid to the employee after prior authorization of the appointing authority.¹⁶¹

Section 90.4 – Vacation Plan

In each institutional unit, the respective office directors or supervisors, together with their employees, shall formulate a vacation plan that sets the period within which each employee shall exhaust their annual leave each calendar year, in the form that best suits the service needs.¹⁶²

¹⁵⁸ **Note:** Cf. CES Certification Nos. 106, 107 (1982–83); 27 (1984–85); 118 (1985–86).

¹⁵⁹ **Note:** CES Certification No. 191 (1985–86). Cf. CES Certification No. 160 (1984–85).

¹⁶⁰ **Note:** CES Certification No. 191 (1985–86). Cf. CES Certification Nos. 160 & 180 (1984–85); 99 (1985–86).

¹⁶¹ **Note:** CES Certification No. 191 (1985–86). Cf. CES Certification Nos. 160 & 180 (1984–85); 99 (1985–86).

¹⁶² **Note:** Cf. CES Certification No. 106 (1982–83).

Section 90.5 – Use of leave

All employees are entitled annual leave for a period of thirty (30) working days during each calendar year, fifteen (15) of which must be spent consecutively. Annual leave in excess of thirty (30) working days in a calendar year may be granted up to a maximum of sixty (60) working days to employees who have accrued so many days. When approving leaves, the time during which the employee has not been on leave and their years of service shall be taken into consideration when approving leaves.

Section 90.6 – Leave taken in advance

Annual leave may be advanced to permanent employees who have served the University for two (2) years or more where there is reasonable certainty the employee shall return to work. The leave taken in advance shall not exceed thirty (30) working days and shall require the written approval of the appointing authority or authorized representative. The annual leave exhausted and the advanced leave granted shall not exceed a total of sixty (60) days in a calendar year.

Section 90.6.1 – Duties of the employee regarding advanced annual leave

Employees who voluntarily leave their position before accruing the service time necessary to repay a leave taken in advance shall be required to reimburse the University for the outstanding balance. If the amount due is not reimbursed, the employee shall not be eligible for future employment at the University, notwithstanding any legal action the institution might take to collect.

Section 90.7 – Advances in salary

Advances in salary for accrued annual leave may be paid pursuant to the procedures established by the central Office of Human Resources.

Article 91 – Sick Leave*Section 91.1 – Definition*

Sick leave is based on the right not to lose one's salary during periods of absence due to mental or physical illness. Such leave does not require prior authorization, except where the absence may be anticipated. Although previous authorization is not required ordinarily, it is essential that the employee's supervisor receive timely notice of absence due to illness.¹⁶³

Section 91.2 – Days accrued per month

All confidential employees and career employees with a permanent, probationary, temporary, or substitute appointment shall accrue sick leave at the rate of one and a half (1½) days for each calendar month of service.

Section 91.3 – Use of leave

Such leave may be used when the employee is ill, incapacitated, or has been exposed to a contagious disease requiring the employee to be absent from work, or for the

¹⁶³ **Note:** Cf. CES Certification Nos. 59 (1974–75); 27 (1984–85); 118 (1985–86).

purposes of a lump-sum payment of the accrued leave, up to a maximum of ninety (90) days from the date of retirement or termination due to disability. It may be used also for medical appointments, in which case the employee must give advanced notice of their absence and present substantiating evidence.

Section 91.4 – Maximum accrual

Unused sick leave may be accrued up to a maximum of ninety (90) working days at the end of the calendar year.

Section 91.5 – Medical certificate requirements

Whenever absences due to illness exceed five (5) days, the employee shall be required to present a medical certificate so the absence may be charged to the accrued sick leave. When the employee is absent for five (5) days or less, it is left to the discretion of the appropriate authorities whether to require a medical certificate.

Section 91.6 – Cases of prolonged illness

In cases of prolonged illness, once sick leave is exhausted, employees may use their accrued annual leave. When both leaves are exhausted, unpaid sick leave may be granted. Total sick leave, annual leave, and unpaid leave shall not exceed two (2) years.¹⁶⁴

Section 91.6.1 – Cases referred to the State Insurance Fund

When an employee is under treatment at the State Insurance Fund or awaiting a final decision regarding an accident or injury, unpaid leave shall be granted for a period of up to three (3) years, renewable annually. Failure to return to work upon the conclusion of this term for reasons of continued disability shall be equivalent to a furlough due to illness. The foregoing shall not affect the rights the employee might have acquired in the University of Puerto Rico Retirement System, if the employee is found to be disabled. In these cases, action on the part of the Administrative Board or the president, as is appropriate, is not required.¹⁶⁵

Section 91.7 – Advanced sick leave

Advanced sick leave may be granted to employees with permanent or probationary appointments who have served the University for one (1) year or more. Advanced sick leave shall not exceed thirty (30) working days. Such leave shall be supported by a medical certification. Used sick leave, plus the advanced leave, shall not total exceed ninety (90) days in a calendar year.

Section 91.7.1 – Duties of the employee regarding advanced sick leave

Employees who voluntarily leave their position before accruing the equivalent service time necessary to repay an advanced leave previously granted shall be required to reimburse the University for the outstanding balance. The outstanding amount shall be the cash value equivalent to the total number of calendar days that were advanced and not repaid with work, based on the applicable salary. If the amount due is not reimbursed, the

¹⁶⁴ **Note:** Cf. CES Certification No. 201 (1980–81).

¹⁶⁵ **Note:** Cf. Board of Trustees Certification No. 137 (2000–01).

employee shall not be eligible for future employment at the University, notwithstanding any legal action the institution might take to collect.

Article 92 – Unpaid Leave and Paid Leave to Pursue Studies

Section 92.1 – Eligibility

Non-teaching staff with a permanent or probationary appointment who have rendered at least three (3) years of uninterrupted service at the institution are eligible to receive unpaid leave.¹⁶⁶

Section 92.2 – Purposes for which leave may be granted

In addition to unpaid leave previously authorized herein, unpaid leave may be granted for the following purposes:

Section 92.2.1 – Provide services to other public or private institutions of higher education

To work in other public or private institutions of higher education when the experience acquired by the employee shall benefit the duties performed at the University of Puerto Rico.

Section 92.2.2 – Teach or study

For teaching or studying at other educational institutions, or pursuing studies at the University of Puerto Rico, when it benefits of the University. When unpaid leave is granted for studies, financial assistance may be granted following the guidelines established for faculty.¹⁶⁷

Section 92.2.3 – For personal reasons

In extraordinary cases that are fully justified, unpaid leave may be granted to attend to personal matters for a period of one (1) year and may be extended, in exceptional circumstances, for one (1) additional year.

Section 92.3 – Not to pursue other employment

Unpaid leave shall not be granted to test other employment opportunities.

Section 92.4 – Grounds for leave no longer present

In the event that reasons for which the leave was granted are no longer present, the employee shall notify their immediate supervisor. If so required, the employee must return to work or notify their supervisor of the reasons for not being available. If the employee decides not to return to work, the position shall be declared vacant.

¹⁶⁶ **Note:** Cf. CES Certification No. 201 (1980–81).

¹⁶⁷ **Note:** Cf. CES Certification No. 58 (1980–81).

Section 92.5 – Duration

The Administrative Board, at the request of the chancellor, may grant and renew unpaid leave for the time deemed reasonable, provided that the period originally granted and any extension shall not exceed a total of two (2) years.

When faculty is required to fill public office or a public interest position, such as: governor, secretary within the executive cabinet, judge in the Judicial Branch of Puerto Rico, aide to the governor, head of an agency, or president of a private higher education institution, and said position is compatible with institutional interests, leave may be renewed on an annual basis at the discretion of the Administrative Board, but in no case, however, shall the total leave granted exceed eight (8) years.¹⁶⁸

Section 92.6 – Cancellation

The Administrative Board, at the request of the appointing authority, may cancel an unpaid leave at any time if it is determined that the leave is being used for purposes that are not consistent with the reasons for which it was granted. In this case, the employee must be notified of the grounds for cancellation fifteen (15) days in advance.

Section 92.7 – Notice to the appointing authority required the employee

The employee must notify the appointing authority of any changes in the situation under which unpaid leave was granted. The employee must also notify the appointing authority if the employee decides not to return to work at the end of the leave period.

Section 92.8 – Accrual of annual leave and sick leave

The employee shall not accrue any annual or sick leave while on unpaid leave.

Section 92.9 – Paid leave to pursue graduate studies

Paid leave to pursue graduate studies may be granted under exceptional circumstances, at the convenience of the institution, to non-teaching staff with a regular appointment and not less than three (3) years of satisfactory service. This leave shall be granted in the interest of the University for the purposes of offering opportunities for professional development to non-teaching staff who have the ability and interest to pursue graduate studies. Studies authorized to this staff may be pursued in Puerto Rico or abroad in subjects directly related to their line of work. The process for evaluating and approving leaves shall be governed by the standards provided herein for paid leave applicable to faculty. Said standards shall not be in conflict with the following provisions:

Section 92.9.1 – Procedure for obtaining leave

Employees shall submit the application for leave in the form provided for such purposes by the appropriate unit and within the time frame established by the Administrative Board. The Administrative Board of each unit shall issue each year a calendar stating the period for the evaluation of leaves requested by employees. Evidence of admission to pursue graduate studies by the corresponding institution must be submitted

¹⁶⁸ **Note:** Cf. Board of Trustees Certification No. 200 (2000–01).

together with the application. A description of the staff's program of studies at the enrolled institution and an academic progress report shall be sent to the Office of Human Resources.

Section 92.9.2 – Salary to be received while on leave

An employee on paid leave to pursue graduate studies shall receive their regular salary and shall not include any additional payment of differentials, compensations, or bonuses granted. A lesser amount, but not less than half of the employee's salary, may be granted if, for budgetary reasons, the employee's entire salary could not be paid.

Section 92.9.3 – Salary for staff with executive functions

When an employee with a regular non-teaching position leaves an executive confidential position and is eligible for a paid leave to pursue graduate studies, they may apply for said leave before the Administrative Board of the unit. If said leave should be granted, the employee shall receive a salary that corresponds with the regular position to which they would have returned.

Section 92.9.4 – Employee's duty to report changes

The employee shall report any changes in the start or end date of an authorized leave to pursue graduate studies, as well as any changes in the program of studies or academic institution, to the Office of Human Resources of their unit. In addition, the employee must submit an academic progress report at the end of each academic term (semester, quarter, or as applicable). The Office of Human Resources shall take the corresponding action before the Administrative Board.

Section 92.9.5 – Reinstatement to service

By granting a leave to pursue graduate studies, the University is under no obligation to place employees returning to service in a position superior to that which they held when the leave was granted.

Section 92.9.6 – Service agreement

Employees on paid leave to pursue graduate studies shall sign an agreement in which the employee promises to return and render services to the University upon completion of the leave for no less than a period of time equal to the duration of the leave. This agreement shall be governed by the provisions established herein for leaves applicable to faculty.

Article 93 – Military Leave

Section 93.1 – Paid Leave

Military leave shall be granted to non-teaching staff, pursuant to Section 231 of the Military Code of Puerto Rico, Law No. 62 of June 23, 1969 (25 LPR § 2082). Such leave shall be granted at regular salary, up to a maximum of thirty (30) working days per calendar year to employees of the Puerto Rico National Guard and the reserves components of the United States Armed Forces during the period serving in the military as part of their annual training or in military schools, when so ordered or authorized under the provisions of the laws of the United States of America or the Commonwealth of Puerto Rico. Provided, that

when said Federal or Commonwealth Active Military Service is in excess of thirty (30) days, the employee may complete such period of annual training or military school chargeable to any accrued annual leave to which they are entitled. If none is available, an unpaid leave shall be granted.

Section 93.2 – Unpaid leave

Section 93.2.1 – Members of the National Guard called by the Governor

Unpaid military leave shall be granted to Puerto Rico National Guard employees who are called by the governor to active military service for the period of time necessary when public safety so requires, in the event of natural disasters, or in any other state of emergency, in accordance with the provisions of the Military Code, Law No. 62 of June 23, 1969 (25 LPRA § 2076).

Section 93.2.2 – Cases of national emergency

In the event of a national emergency, employees called to military service shall be granted unpaid leave during the period of compulsory military service, in accordance with the laws in effect. The request for a leave of absence for military purposes must be accompanied by the appropriate order or summons.

Section 93.2.3 – People entering active military service

Unpaid military leave shall be granted to any employee who enters active military service in the Armed Forces of the United States of America, pursuant to the provisions of the Federal Selective Service Act, for the period of time established in the initial enlistment in the respective branch of the Armed Forces of the United States of America. If an employee voluntarily extends compulsory service beyond the period required by the initial enlistment, it shall be understood that the employee resigns their position at the University.

Section 93.3 – Procedure for application

When applying for military leave, the employee must submit the appropriate forms together with official evidence of the order or summons to military service as grounds for the application.

Section 93.4 – Accrual of annual leave and sick leave

The employee shall not accrue any annual or sick leave while on unpaid military leave.

Article 94 – Judicial Leave

Section 94.1 – Appearances in court or before other bodies or officers with subpoena power

Unpaid leave shall be granted to all members of the non-teaching staff who are required to be absent from the University when summoned to appear as witnesses or as defendants in their capacity as administrative employees before a government agency or officer with subpoena power. This leave shall be subject to the same terms and conditions established herein for faculty in Article 59.

Section 94.1.1 – Appearance as a witness in criminal cases

All members of the non-teaching staff shall be granted leave to appear as a witness in criminal cases, subject to the same terms and conditions established herein for faculty in Section 59.1.1.¹⁶⁹

Article 95 – Maternity Leave*Section 95.1 – Eligibility*

Any woman who is employed at the University in a non-teaching position as a confidential employee and women with career employees with permanent, probationary, or special status, with a temporary or irregular appointment, or under a professional services contract are entitled to maternity leave. Staff with a fixed-term appointment or under contract shall be entitled to maternity leave within the term of duration of the appointment or the life of the contract. In other words, if the appointment or contract is for three months and the person takes leave during the last month of said appointment or contract, the employee shall be entitled to one month of leave. Their appointment or contract shall not be extended by reason of the maternity leave.¹⁷⁰

Section 95.1.1 – Adoptive mothers

Maternity leave may be granted to all women non-teaching employees, as described in the aforementioned section, who become mothers through the adoption of an underage child.¹⁷¹

Section 95.2 – Application similar to that for faculty

The rules provided herein which are applicable to maternity leave for faculty are extended to non-teaching staff, with the exception of Section 56.10.

Section 95.3 – Salary to be received by staff with irregular appointments while on maternity leave

During maternity leave, wage workers shall receive a salary that shall be determined based on the average income per workday the employee has earned during the previous twelve (12) months, or during the period the employee has rendered services, if less than twelve (12) months.¹⁷²

Article 96 – In-Service Leave*Section 96.1 – Circumstances for granting in-service leave*

In-service leave may be granted to non-teaching staff for temporary assignment to another institutional unit within the University System, either to teach or to render

¹⁶⁹ **Note:** CES Certification No. 59 (1986–87).

¹⁷⁰ **Note:** CES Certification No. 119A (1981–82), Cf. CES Certification Nos. 81 & 82 (1985–86); 107 (1987–88); Board of Trustees Certification No. 4 (1995–96).

¹⁷¹ **Note:** Amended CES Certification No. 107 (1988–87).

¹⁷² **Note:** Cf. Amended Board of Trustees Certification No. 4 (1995–96).

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administrative or special services. Leaves shall be granted for periods not longer than one (1) year, up to a maximum of four (4) years.

Section 96.2 – Eligibility

Only non-teaching staff who hold regular permanent positions that figure in the University budget shall be eligible for this type of leave.¹⁷³

Section 96.3 – Approval by the Administrative Board

In-service leave shall be subject to the approval of the appropriate administrative board and shall be awarded based, primarily, on the convenience of the institution.

Section 96.4 – Personnel actions prohibited

The unit where the employee renders services pursuant to this leave shall make no permanent changes to the employee's classification, nor shall the new unit perform any personnel action, such as granting or denying promotions or permanent status while the employee is on temporary assignment.

Section 96.5 – Evaluations

Employees on in-service leave shall be subject to the usual evaluations. A copy of these evaluations shall be sent to the unit of origin for any such action that may be deemed relevant.

Section 96.6 – Salary

The employee on in-service leave shall be paid in accordance with the pay grade applicable to the unit where they shall render temporary services. Once the work is completed, they shall return to their original position and to the salary conditions applicable at the unit of origin.

Article 97 – General Provisions Concerning Leaves

Section 97.1 – Rest days and holidays while on leave

Rest days and holidays shall not be considered when computing accrued annual and sick leaves.

Section 97.2 – Suspension of service

Days on which public services are suspended by the governor, or institutional services are suspended by the Governing Board or by the president, shall be counted as free days only for staff on active service and not for staff on leave of absence.

Section 97.3 – Improper use

The appropriate authorities at the institutional units shall ensure that leaves are used only for the purpose for which they were granted. The appointing authority may impose disciplinary sanctions on employees for improper use of leaves.

¹⁷³ **Note:** Cf. Amended Board of Trustees Certification No. 117 (2000–01).

Section 97.4 – Accrual of annual leave and sick leave

Non-teaching staff shall accrue sick leave and annual leave while on paid leave, except for extraordinary leave, provided they return to active service at the end of said leave.¹⁷⁴

Section 97.5 – Payment in cash

Members of the non-teaching staff (or faculty who accrue annual leave) who terminate their employment with the University shall receive a single cash payment equivalent to the annual leave accrued on the last day they appeared for work, up to a maximum of sixty (60) working days. This applies regardless of the amount of days an employee may have exhausted during the same year. If the person begins to work in another state-level government entity, said payment shall not be made. In such cases, the balance of accrued leave shall be transferred to said entity, pursuant to the regulations in effect concerning the transfer of leaves.

University non-teaching staff who leave a position rendering administrative services as a confidential employee within the University System to return immediately to their regular position or office that accrues annual leave pursuant to Article 89, shall receive a lump-sum payment for the salary differential between both positions for the annual leave accrued as a confidential employee, up to a maximum of sixty (60) days, without loss of balances accrued.

In the case of non-teaching staff who leave a position rendering administrative services as a confidential employee within the University System and immediately begin to render services in another administrative position as a confidential employee, the balance of accrued leave shall be transferred to said entity, pursuant to the regulations in effect concerning the transfer of leaves without cash payment.¹⁷⁵

Section 97.6 – Payment in case of death

In case of the death of a member of the non-teaching staff, the beneficiaries designated in a written declaration by the employee (or, in absence thereof, the heirs) shall be paid the amount of money equivalent to the annual leave accrued at the time of death. This payment shall be in addition to any other benefits that apply.¹⁷⁶

Articles 98 to 109 – Reserved for future amendments, if necessary.

¹⁷⁴ **Note:** Cf. CES Certification No. 49 (1977–78).

¹⁷⁵ **Note:** CES Certification No. 58 (1987–88). Cf. CES Certification Nos. 27 (1984–85); 138 & 118 (1985–86); 71 (1971–72); 33 (1972–73); 49 (1973–74). Board of Trustees Certification No. 117 (2000–01).

¹⁷⁶ **Note:** Cf. CES Certification No. 71 (1971–72).

CHAPTER IX

GENERAL APPLICATION PROVISIONS

Article 110 – Limitations of Actions on Wage Claims¹⁷⁷

Section 110.1 – General rule

The term for exercising an action to claim wages by persons who were or are employees of the University of Puerto Rico under any type of appointment shall be as provided in Sections 110.1.1 and 110.1.2.

Section 110.1.1 – Persons currently employed at the University

Persons who are under the employment of the University at the time a wage claim is filed may assert a claim only for the last three (3) months prior to the date the action was brought.

Section 110.1.2 – Persons whose employment at the University has been terminated

- a) Persons who, for any reason, are no longer employed by the University at the time a wage claim is filed may assert a claim only for the last three (3) years prior to the date of termination of employment at the University.
- b) In such cases, moreover, the action must be filed not later than three (3) years from the date of termination of employment at the University.

Articles 111 to 119 – Reserved for future amendments, if necessary.

¹⁷⁷ **Note:** Amended Board of Trustees Certification No. 101 (2005 –2006).

CHAPTER X

DEFINITIONS

Article 120 – Definitions

For the purposes of construction and application of these Regulations, the following terms shall have the following meaning, unless the context clearly indicates otherwise:¹⁷⁸

Section 120.1 – Academic Year

The regular school year, not including the summer term, the exact start and end dates of which shall be set for each institutional unit in coordination with central university authorities.

Section 120.2 – Furlough (Cesantía)

Severance of a member of the staff from employment at the University due to lack of work or institutional funds, or any other reason against the wishes of the employee, that does not constitute dismissal or suspension.

Section 120.3 – Faculty (Claustro)

The whole of the university staff of each institutional unit made up of the chancellor, the deans, and members of the teaching staff, chaired by the chancellor, and under the organizational scheme established by the Governing Board.

Section 120.4 – College

An organizational unit of the University with characteristics similar to a college (*facultad*).

Section 120.5 – Additional Compensation

The remuneration given to a member of the university staff for the performance of other tasks in addition to those required by the position held, at any phase of an institutional program, outside of regular working hours.

Section 120.6 – Additional Compensation for Participating in University Intramural Practice Plans

The distribution of accumulated funds to a member of the university staff for the performance of other tasks or duties in addition to those required by the position held, for participating in an event under the University Intramural Practice Plan, whether within or outside regular working hours. This distribution shall be issued as payment for professional service fees and shall not be calculated toward benefits in the University of Puerto Rico Employee Retirement System.¹⁷⁹

¹⁷⁸ **Note:** Amended by CES Certification No. 178 (1987–88).

¹⁷⁹ **Note:** Cf. Board of Trustees Certification No. 124 (1996–97).

Section 120.7 – Visiting Lecturer

A person hired under contract to teach for a period shorter than one academic term and whose responsibilities do not include official student evaluation for the purposes of granting academic credit.

Section 120.8 – Academic Advisory

The direct advice a professor offers a student regarding selection, implementation, and coordination of the student's academic programs.

Section 120.9 – Board

Governing Board of the University of Puerto Rico.¹⁸⁰

Section 120.10 – Direct Consultation

The consultation carried out by an appointing authority before filling an appointment, by way of interviews, questionnaires, or other informal means, among specific members of the staff or the academic community, when a consultation committee is not created.

Section 120.11 – Department

An academic or administrative division within a college or within an institutional unit without colleges.

Section 120.12 – Special Assignments (Destaques)

Special works or tasks carried out by university staff outside the unit where the employee regularly works, under exceptional circumstances, either in Puerto Rico or abroad, and in the interest of the institution.

Section 120.13 – Termination

The definitive severance of an employee from service with just cause.

Section 120.14 – Employee

A person who holds a position at the University by appointment.

Section 120.15 – Confidential Employee

An employee who renders services to the University at the will of the appropriate appointing authority.

Section 120.16 – Permanent Employee

An employee appointed pursuant to the University of Puerto Rico Act to hold a regular full-time position allocated within the functional budget, once the probationary period is completed, receiving satisfactory evaluations, and the employee has been granted a permanent appointment by the proper authorities.

¹⁸⁰ **Note:** Cf. Board of Trustees Certification No. 21 (1993–94).

Section 120.17 – Probationary Employee

An employee appointed to hold a regular position allocated within the functional budget, subject to the provisions of the University of Puerto Rico Act, who has not completed the probationary period.

Section 120.18 – Substitute Employee

An employee appointed to fill a regular position allocated within the functional budget for a definite period of time to substitute an employee who properly holds said position when the latter is on leave.

Section 120.19 – Temporary Employee

An employee appointed to hold a non-regular position for a definite period.

Section 120.20 – School

The academic unit that offers a program of studies leading to a technical, professional, or graduate degree, and requires a certain level of university preparation prior to admission. It may be attached to a college or answer administratively to the central authorities of an institutional unit.

Section 120.21 – Autonomous School

A school that is under the immediate jurisdiction of a chancellor.

Section 120.22 – University Units

Campuses, institutional academic units, and all other subunits, buildings and grounds under the control of the University of Puerto Rico, including any other place that is considered an extension of the classroom, or where official acts are being held or sponsored by the institution, or in which the University participates.

Section 120.23 – College (Facultad)

An organizational unit of the University, the principal purpose of which is to teach a group of related disciplines, under the direction of a dean, in collaboration with faculty and non-teaching staff and with the participation of a student body. See Section 23.1 of these Regulations.

Section 120.24 – The University of Puerto Rico Act

Law No. 1 of January 20, 1966, as amended.

Section 120.25 – Conditional Tenure

That which, upon authorization by the Governing Board, is granted by the Administrative Board of a campus to a member of the staff paid with non-university funds when there is a reasonable probability of continuing availability of said funds for more than three (3) years. Such tenure is granted under the same rules that govern staff whose appointment is charged to university funds, except these are subject to the continuity of the funds.

Section 120.26 – Persons under Contract

A person who renders services under contract to the University who, without holding a position, is assigned a set of duties and responsibilities for a fixed term.

Section 120.27 – Faculty (Personal docente)

Staff responsible for teaching, carrying out scientific research or technical publications, or all of the above, as well as professional librarians, professional counselors, social workers, and psychologists.

Section 120.28 – Non-Teaching Staff

Staff responsible for the managerial tasks that complement the teaching functions within the institutional program, pursuant to the provisions of the University of Puerto Rico Act and the rules and regulations of the University of Puerto Rico, as well as the auxiliary staff necessary to carry out their duties. The term also includes the professional staff assigned to the colleges, educational programs, or administrative units whose duties are auxiliary to the development of educational programs, research or technical publication and whose regular duties include the application of specialized knowledge of an art or science.

Section 120.29 – University Staff

The faculty and non-teaching staff of the University who, by appointment, are charged with the work of the institution.

Section 120.30 – President

The president of the University of Puerto Rico.

Section 120.31 – Merit Principle

The principle according to which the selection of employees is carried out and the University is administered, without discrimination based on race, color, sex, birth, age, national origin, physical condition or social status, or political or religious beliefs.

Section 120.32 – Visiting Professors

Persons that enjoy great prestige and renowned in the academic community who are hired under contract to teach credit courses or seminars, usually for an academic term.

Section 120.33 – Position

The sum of the duties and responsibilities regularly assigned or delegated by the proper authorities and which require the employment of a person on a full-time or part-time basis.

Section 120.34 – Campus

Any of the following institutional units, plus others given that name which might be created in the future by law or by action of the Governing Board: the Río Piedras campus, the Mayagüez campus, and the Medical Sciences Campus.

Section 120.35 – Regulations

The General Regulations of the University of Puerto Rico.

Section 120.36 – Resignation

The voluntary and definitive severance of an employee from service.

Section 120.37 – Regular Salary

The monthly or yearly pay of university officers and employees, approved by the Governing Board, or assigned by the pay grade that has been approved by the latter.

Section 120.38 – Suspension

The temporary severance of an employee from employment and salary for just cause.

Section 120.39 – Regular Academic Workload

The program of work carried out by faculty for a period of time distributed in proportion to the following tasks: teaching; individual attention to students; participation in committees and department, school or faculty meetings; faculty workshops; preparation and correction of examinations and other written work; office work that is related to teaching; research, and any other activity necessary for the advancement of education.

Section 120.40 – Academic Term

The unit of time programmed for the offering of a course with academic credit.

Section 120.41 – Institutional Unit

The administrative and academic unit within the University System consisting of colleges, schools, services, and other subunits, that operate with administrative and academic autonomy, pursuant to Article 10 and Section 12.2 of these Regulations.

Section 120.42 – University

The University of Puerto Rico.

Articles 121 to 130 – Reserved for future amendments, if necessary.