

CERTIFICATE OF TRANSLATION INTO ENGLISH

(CERTIFICADO DE TRADUCCIÓN AL INGLÉS)

Document: University of Puerto Rico Act (revised February 21, 2018)

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I, Anyeliz M. Pagán Muñoz, a professional freelance translator with an M.A. in Translation and accredited by the American Translators Association, member in good standing No. 262031, certified into both English and Spanish under No. 524072, hereby certify that, to the best of my knowledge and abilities, the following is a faithful translation into English of the nineteen-page Spanish document, made at the request of the interested party. The translation was completed using a conversion into Word format of the PDF document received through institutional email (anyeliz.pagan@upr.edu) by Angie I. Rivera Rendón, project manager of the University of Puerto Rico's Press and Communications Office.

(Yo, Anyeliz M. Pagán Muñoz, traductora autónoma profesional con Maestría en Traducción y acreditada por la American Translators Association, miembro bona fide núm. 262031, certificada por dicha asociación tanto al inglés como al español por el núm. 524072, por la presente certifico que, a mi mejor entender, el documento a continuación es una traducción fiel al inglés del texto de diecinueve páginas en español, realizada a petición de la parte interesada. La traducción se realizó usando una conversión a Word del PDF recibido por correo electrónico institucional (anyeliz.pagan@upr.edu) y enviado por Angie I. Rivera Rendón, administradora de proyectos de la Oficina de Prensa y Comunicaciones de la Universidad de Puerto Rico.)

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In Toa Alta, Puerto Rico, today, October 12, 2023.

(En Toa Alta, Puerto Rico, hoy, 12 de octubre de 2023.)



Anyeliz M. Pagán Muñoz, Ed.D., CT

"University of Puerto Rico Act"

Law No. 1 of January 20, 1966, as amended

(includes amendments incorporated by the following laws:

Law No. 10 of June 9, 1972
Law No. 26 of July 11, 1978
Law No. 27 of July 11, 1978
[Law No. 16 of June 16, 1993](#)
[Law No. 17 of June 16, 1993](#)
[Law No. 54 of August 6, 1994](#)
[Law No. 174 of August 31, 1996](#)
[Law No. 128 of August 12, 1996](#)
[Law No. 112 of September 4, 1997](#)
[Law No. 200 of December 26, 1997](#)
[Law No. 186 of August 7, 1998](#)
[Law No. 65 of June 21, 2010](#)
[Law No. 128 of August 11, 2010](#)
[Law No. 13 of April 30, 2013](#)
[Law No. 29 of April 8, 2016](#)
[Law No. 90 of August 7, 2017](#)
[Law No. 17 of January 21, 2018](#))

To reorganize the University of Puerto Rico, ratify certain laws, and repeal Law No. 135 of May 7, 1942, as amended, and Law No. 88 of April 25, 1949.

Be it enacted by the Legislative Assembly of Puerto Rico:

Section 1. — Statement of Purpose. (18 L.P.R.A. § 601 note)

This law aims to reorganize the University of Puerto Rico, reassert and strengthen its autonomy, and facilitate its continuous growth. The University of Puerto Rico shall continue to be a public corporation.

Section 2. — Objectives of the University of Puerto Rico. (18 L.P.R.A. § 601)

A. — The University, as a body of higher education, due to its obligation to serve the people of Puerto Rico and due to its allegiance to the ideals of an integrally democratic society, has an essential mission to achieve the following objectives, for which the fullest academic freedom and freedom of scientific research are an integral part:

- (1) Transmit and increase knowledge through the sciences and the arts, putting it at the service of the community through the actions of its faculty, researchers, students, and alumni.
 - (2) Contribute to the development and enjoyment of the ethical and aesthetic values of culture.
- B.** — In the loyal fulfillment of its mission, the University shall:
- (1) Cultivate a love for knowledge as a path to freedom through the search for and discussion of truth, with respect for creating dialogue.
 - (2) Preserve, enrich, and spread the cultural values of the Puerto Rican people and increase awareness of their unity in the joint undertaking of democratic problem-solving.
 - (3) Seek students' full development in view of their responsibility to serve the community.
 - (4) Fully develop the latent intellectual and spiritual wealth of our people so that the intellectual and spiritual values of the exceptional personalities that emerge from all social sectors, especially those less favored in economic resources, may be placed at the service of Puerto Rican society.
 - (5) Collaborate with other entities, within their spheres of action, in the study of Puerto Rico's problems.
 - (6) Consider that, due to its nature as a university and its identification with Puerto Rico's ideals of life, the university is essentially linked to the values and interests of any democratic community.

Section 3. — Governing Board. (18 L.P.R.A. § 602)

A. — *Name.* — The University of Puerto Rico shall be governed by a governing board, which shall be known as the "Governing Board of the University of Puerto Rico."

B. — *Composition.* — The Governing Board of the University of Puerto Rico shall comprise thirteen (13) members: one (1) regular undergraduate student; one (1) regular student from one of the University's graduate programs; two (2) tenured professors in the university system; one (1) will be the Secretary of Education, on an *ex officio* basis; one (1) professional with extensive knowledge and experience in the field of finance; one (1) resident of Puerto Rico who has stood out in social and community leadership roles; five (5) residents of Puerto Rico who have excelled in the arts, science, and other professions, of which at least three (3) will be University alumni; and one (1) citizen who resides in Puerto Rico and is affiliated with Puerto Rican communities living abroad. Except for two (2) students and two (2) professors, the remaining members of the Governing Board shall be appointed by the Governor following the Senate's advice and approval. All members of the Governing Board shall perform their duties until their successors are appointed and take office, and shall be residents of Puerto Rico over eighteen (18) years of age, and shall comply with the provisions of [Law 1-2012, known as the "2011 Puerto Rico Government Ethics Act."](#)

No member of the Puerto Rico Legislative Assembly nor any other person who holds a position in or is employed by the Commonwealth of Puerto Rico or any other instrumentality or public corporation that is not the University of Puerto Rico may be appointed to the Governing Board, except the Secretary of Education of the Commonwealth of Puerto Rico, on an *ex officio* basis. Nor may an employee, official, professor, officer, director, shareholder, member, advisor, contractor, or partner of any private higher education institution in Puerto Rico be appointed.

Without it being deemed a limitation of the powers inherent to their position, the Governor may designate a committee to identify, evaluate, and recommend candidates to the Governing Board of the University of Puerto Rico.

C. — Election of Students and Faculty. — The undergraduate student and the two (2) professors who will serve as members of the Governing Board shall be elected by and among their peers, respectively, through a secret ballot of the students and faculty who currently serve as representatives of the student body and the teaching personnel in the University Board. The representatives of the teaching personnel may not be part of the same institutional unit. The regular student from one of the University's graduate programs will be selected by their peers in the Río Piedras, Mayagüez, and Medical Sciences Campuses. The Secretary of the University Board will conduct these elections in accordance with university practices and customs and will certify to the Governing Board who was elected. Upon taking office in the Governing Board, those elected will cease their functions as representatives of the University Board, and their positions will be covered by the corresponding institutional unit, as provided by law or regulation.

D. — Term of Appointment. — The student representatives duly certified by the Secretary of the University Board shall serve in the Governing Board for a term of one (1) year and may be reelected for an additional term of one (1) year. However, they shall cease to hold office as members of the Governing Board should they become disengaged from the University during said term.

The representatives of the teaching personnel duly certified by the Secretary of the University Board shall serve in the Governing Board for a term of one (1) year and may be reelected on two additional occasions for a term of one (1) year each. However, they shall cease to hold office as members of the Governing Board should they become disengaged from the University during said term.

OPM The professional with vast knowledge and experience in the field of finance, the resident of Puerto Rico from a social and community leadership position, and the citizen who resides in Puerto Rico affiliated with Puerto Rican communities living abroad shall serve on the Governing Board for a term of five (5) years. Of the five (5) residents who have excelled in artistic, scientific, and professional disciplines, one (1) shall serve terms of five (5) years, two (2) shall serve terms of seven (7) years, and two (2) shall serve terms of nine (9) years. Their successors shall all serve a single term of nine (9) years.

Members of the Governing Board may be removed after determination of just cause by the Board itself and for failure to comply with fiduciary and administrative duties after charges against them have been filed. Any vacancy in the Governing Board shall be filled as established in this Section and extended only for the remainder of the term for which their predecessor was designated.

E. — First Meeting and Election of Officials. — Once constituted, the Governing Board shall be convened by the Secretary of Education for its inaugural session, during which a chairperson and all other officials deemed necessary for the performance of their appointed responsibilities shall be elected from among its members. The Governing Board shall establish in the bylaws the terms of these officials.

F. — *Quorum and Sessions.* – Seven (7) members shall constitute a quorum for the Governing Board. The Board shall meet in regular sessions according to the annual calendar it will approve and publish in due course. The Board may hold special or committee meetings following a call by its chairperson *motu proprio* or at the request of seven (7) members. The Governing Board's agreements and resolutions shall be made by a majority of the quorum of the members present unless the Governing Board, by regulation, requires a special majority for a decision.

G. — *Powers and Duties of the Governing Board.* – The Board shall establish the guidelines that will govern the direction and development of the University; examine and adopt general operating rules proposed by the legislative and administrative bodies of the University, pursuant to this Act; and supervise institutional operations. The Board shall represent the public interest in the University, always ensuring the protection of the University against partisan political interests or any other type of interest that might undermine the University's autonomy against anti-intellectual tendencies that might target academic freedom, the promotion of critical awareness, and the full development of students' virtues.

H. — *Duties and Powers.* –

- (1) Approve the University's comprehensive development plan and revise it annually.
- (2) Authorize the creation, modification, and reorganization of university campuses, centers, and other institutional units; schools, colleges, departments, and agencies of the University, but it may not privatize, alienate, or abolish the autonomous institutional units that exist at the time of adoption of this law, without prior legal authorization.
- (3) Arrange for the creation and elimination of positions held by assistants to the President of the University.
- (4) Authorize the creation and elimination of positions held by deans who do not preside over colleges.
- (5) Adopt or amend the University's General Bylaws, the Student General Bylaws, the Student Bylaws of each campus, the Retirement System Bylaws, and any other regulations of general application, pursuant to the provisions of the Uniform Administrative Procedures Act, Law No. 170 of August 12, 1988, as amended *Note: Current [Law 38-2017, "Uniform Administrative Procedures Act of the Government of Puerto Rico"](#)*.
- APN (6) Resolve appeals filed against the decisions of the President, the University Board, and the Board of Appeals of the administrative technical personnel in the university system.
- (7) Appoint, in consultation with the academic senates or the equivalent bodies of the respective units, the President of the University, the chancellors of the university campuses and any other autonomous unit created within the university system that the Governing Board determines, because of its condition, should be led by a chancellor. Said officials shall hold office at the will of the Board. The Governing Board must evaluate the performance of each of the above-mentioned officials in each term of no fewer than two (2) years and no greater than four (4) years of their incumbency. This evaluation shall be done in writing, discussed with each incumbent, and will form a part of the corresponding file of the Governing Board.
- (8) Approve the appointment of the Director of Finance of the University of Puerto Rico.

(9) Consider and approve the budget proposal of the university system annually submitted by the President and approve and keep a uniform accounting and auditing system to use university funds pursuant to the law and regulations. If, at the close of a financial year, the university budget for the following year has not been approved as provided in the University of Puerto Rico Act, the budget of the previous year shall remain in force.

(10) Present an annual report to the Governor and the Legislative Assembly on its activities and the state and finances of the University.

(11) Adopt rules regarding the rights and duties of university personnel and set the salaries and emoluments of the University officials appointed by the Governing Board itself. Should a situation arise in which the University of Puerto Rico or any of its campuses interrupts the delivery of education or teaching services for the first time, for a period that exceeds seventy-two (72) hours, or should an interruption of services occur in more than one occasion, regardless of the number of hours, within the same academic semester, due to a demonstration, strike, or conflict, the Governing Board shall be forced to suspend, stop, and disallow immediately the disbursement of public funds corresponding to the operating expenses of the University or any of its campuses, including the payment of payroll, marginal benefits, or any other expense until it is certified that administrative and academic operations have resumed. In those cases where the delivery of services has not been interrupted, and it is duly certified or demonstrated, in accordance with the rules established by the Governing Board, that the administrative and academic services have continued, the payment of these services shall be authorized. Regarding the payment of academic personnel, the Governing Board shall establish, in turn, by administrative order, the necessary requirements to demonstrate that this personnel has had a clear and convincing intention to continue to deliver academic services to authorize the payment thereof.

Likewise, the Governing Board shall not authorize the retroactive payment of any operating expense for the term during which the University of Puerto Rico or any of its campuses interrupts the provision of services, as provided herein. The Governing Board may assign the time of the interruption to any regular or special license, as established by regulation by the Governing Board.

apm (12) Create and confer academic distinctions by its own initiative or as proposed by the academic senates.

(13) Establish the procedure for the temporary replacement of university officials.

(14) Adopt internal bylaws.

(15) Maintain a health insurance plan and a pension system for all university personnel, including a loan plan that does not interfere with the powers of the Retirement Board.

(16) Organize its office, appoint its personnel, and hire the services of the necessary experts, advisors, and technicians to perform the powers vested upon it by this Act and allocate the necessary funds for such purposes. The career staff of the current Board of Trustees shall be transferred to the new Governing Board and shall retain all acquired rights, privileges, and obligations.

(17) Establish general rules to grant scholarships and any other financial aid in the public university system.

(18) Develop mechanisms that lead to a better transition between Puerto Rico's high school programs, especially public-school programs, and the University's programs so that the students are taught in an environment conducive to university education.

(19) Authorize the creation of subsidiary or affiliated corporations to offer services to the university community and the people of Puerto Rico.

(20) Fully meet the requirements of accrediting, regional, and related entities, including the Puerto Rico Council of Education, the Middle States Commission on Higher Education, and those who offer particular professional accreditations.

(21) Fully meet the requirements of public entities and instrumentalities of the Commonwealth of Puerto Rico or the government of the United States of America that may grant funds to the University or provide assistance for program development.

(22) Ensure that the University of Puerto Rico serves as a binding force between Puerto Rico and the rest of the world.

(23) Promote, following accepted practices in the best university institutions around the world, the sustained connection of University alumni with their *alma mater*, seeking, as a result of this connection, the appropriate financial support for the Institution.

(24) Ensure the healthy maintenance and updating of university infrastructure, both in terms of construction and technology, paying particular attention to the architectural heritage for which it is responsible.

OPM I. — *Validity of the Regulations and Certifications of the Board of Trustees.* – All regulations and certifications adopted by the previous Board of Trustees that are in force at the time this Act is enacted shall continue in force until the Governing Board created herein modifies or repeals them. Work arrangements shall remain unaltered until the parties agree otherwise.

Section 3.1. — Corporate Powers of the University. (18 L.P.R.A. § 602a)

The University of Puerto Rico shall have all the powers, prerogatives, responsibilities, and duties of a corporate entity in charge of higher education and shall perform them through the Governing Board. It will have the authority to sue and be sued; acquire and own property and real estate; mortgage, sell, or otherwise dispose of said property and real estate; incur debt; sign agreements; invest its funds in a manner compatible with the aims and purposes of this Act; adopt and use an official seal; and accept and manage donations, endowments, and bequests. It shall safeguard, govern, and manage all its assets of any kind and all its funds, as established in Section 3, Subsection (h) - Duties and Powers, in subparagraph (2).

Likewise, it is provided that in any civil lawsuit claiming damages from the University, in any case in which a judgment is issued due to actions committed by its agents, employees, and officials, as well as negligent acts that arise from its facilities and campuses, it will be subject to the liability limits and conditions imposed by [Law No. 104 of June 29, 1955, as amended, known as "Law of Claims and Lawsuits Brought Against the State,"](#) to hold the Government of Puerto Rico accountable in similar circumstances.

Section 3.2. — University Reform. (18 L.P.R.A. § 602b)

The Governing Board may occasionally consult the university community to submit to the Legislative Assembly the amendments to the university law deemed necessary to promote the institution's best interests.

Section 4. — Organization of the University of Puerto Rico. (18 L.P.R.A. § 603)

A. — The University of Puerto Rico shall constitute an organic higher education system comprising the following institutional units and those created hereafter, which shall function with academic and administrative autonomy pursuant to the provisions of this subsection and those that may be outlined in the University bylaws or the resolutions of the Governing Board created by [this law].

(1) The Río Piedras Campus will integrate all schools, colleges, departments, institutes, research centers, and other units currently comprising the Río Piedras Campus of the University of Puerto Rico.

(2) The Mayagüez Campus shall integrate all schools, colleges, departments, institutes, research centers, and other units currently operating at the College of Agriculture and Mechanic Arts of the University of Puerto Rico. The Agricultural Experimental Station and the Agricultural Extension Service are integrated into this campus in administrative and programmatic terms. Its qualified personnel shall be incorporated as faculty members as provided by the Governing Board so that the campus, as a beneficiary of the law of the United States Congress, adopted on August 30, 1890, as amended, and known as the "Second Morrill Act," and all Congress laws complementary thereto that foster, and develop a university agricultural system that integrates teaching, experimentation, and dissemination.

(3) The Medical Sciences Campus shall integrate the School of Medicine and Tropical Medicine, the School of Dental Medicine, and other schools, services, institutes, and teaching and research programs in health arts and sciences currently comprising the San Juan Campus of the University of Puerto Rico.

(4) The colleges under the Administration of Regional Colleges granted autonomy to conduct their affairs by the Governing Board.

B. — The University of Puerto Rico shall be responsible for elaborating and publishing the Puerto Rico Human Development Report every two years. This report will be based on the Human Development Report published annually by the United Nations Development Programme (UNDP). By publishing each report, the University will update the methodology used in Puerto Rico, according to the new methodological advances implemented by UNDP. To comply with this duty, the University shall receive technical assistance from the Puerto Rico Institute of Statistics, created under the [Puerto Rico Institute of Statistics Act, Law 209-2013, as amended](#). The Puerto Rico Human Development Report shall include estimates of the Human Development Index, Inequality-Adjusted Human Development Index, Gender Inequality Index, and all other indicators that the University and the Institute consider relevant or valuable.

Section 5. — President of the University of Puerto Rico. (18 L.P.R.A. § 604)

A. — The Governing Board shall appoint the President of the University.

The Governing Board shall establish a consultation system for appointing the President.

B. — The president shall be the director of the university system. In this capacity, they shall act on behalf of the Governing Board, and in collaboration with the University Board, they will coordinate and supervise university endeavors. They will also be in charge of harmonizing the initiatives of these university bodies and officials and taking initiatives to promote the development of the University.

C. — In the fulfillment of the responsibilities described above, the President shall also have the following duties and powers:

(1) Enforce compliance with the University's objectives, rules, bylaws, and budget and development plans.

(2) Officially represent the University.

(3) Preside over the University Board.

(4) Prepare, with the advice of the University Board, and submit to the Governing Board for consideration the University's comprehensive development plan and its annual revisions based on the drafts and recommendations originated in the campuses, university colleges, and other autonomous institutional units.

(5) Present to the Governing Board regulations of general application and all other agreements by the University Board that require its approval.

(6) Create an integrated budget proposal for the entire university system based on the budget proposals submitted by the respective chancellors, once approved by the Administrative Boards of the campuses and university colleges and submit it with the recommendations of the University Board for the consideration and approval of the Governing Board.

APM (7) Present to the Governing Board, for its consideration, appointments for chancellors of the autonomous institutional units, the Director of Finance, and other officials that require Board confirmation.

(8) Appoint or hire technical and administrative personnel for their office and the personnel for the university units not under the administrative jurisdiction of any campus or college. Regarding these appointments and contracts, the President shall have the authority granted to the chancellor of the University under [Law No. 100 of June 27, 1956](#) (18 L.P.R.A. secs. 678 et seq.).

(9) Resolve appeals filed against the decisions of the chancellors.

(10) Create and maintain relationships with universities and cultural centers in Puerto Rico and abroad.

(11) Submit an annual report to the Governing Board on all aspects of university life.

D. — The President shall be an *ex officio* member of the university system's faculty, academic senates, and administrative boards.

Section 6. — University Board. (18 L.P.R.A. § 605)

A. — There shall be a University Board comprising the President of the University, who shall preside over it; the chancellors of the campuses and university colleges; the Director of Finance; and three (3) additional officials in a number equal to the representatives of the senates and the student body appointed by the President with the approval of the Governing Board; and a representative elected by each academic senate from among its non-*ex officio* members; and a student representative of each institutional unit elected annually by their peers.

B. — The President shall call for Board meetings *motu proprio* or at the request of a majority of its component members. A majority of Board members shall constitute a quorum. However, in any matter that requires Board approval and when one of the members duly requests it, a direct and secret ballot of the majority of the members present shall be conducted. For the purposes of this Section, the term "majority" shall mean half plus one of the members present.

C. — By authority of the Governing Board and without prejudice to its powers, the Board shall serve the essential role of maintaining an integrated university system concerning its overall planning and advise the President in managing the operations of the various institutional units on academic, administrative, and financial matters. To fulfill this role, the Board, where appropriate, and the President, where appropriate, shall take all the development and management initiatives as the circumstances may require, without prejudice to the powers granted to the institutional units in recognition of their autonomy.

D. — It shall especially devolve upon the Board:

(1) Draft on or before December 31, 1978, the proposed University General Bylaws, which shall be submitted to the academic senates for their evaluation and in light of their reports, shall be presented by the President before the Governing Board.

(2) Develop the General Student Bylaws and submit them for the final consideration of the Governing Board.

(3) Examine the University's development plan submitted to the President and make the recommendations deemed relevant to be considered by the Governing Board.

(4) Examine the integrated budget proposal for the university system as created by the President of the University to be submitted to the Governing Board and make the recommendations deemed appropriate.

(5) Resolve appeals filed against the decisions of each campus or college's administrative board and academic senate.

Section 7. — Chancellors. (18 L.P.R.A. § 606)

A. — The campuses and university colleges shall be under the direction of a chancellor.

B. — The chancellor shall exercise administrative and academic authority within the scope of their respective institutional unit, pursuant to the provisions herein and the university bylaws. Chancellors will be nominated by the President of the University, upon prior consultation with their respective academic senates for their consideration of the Governing Board.

C. — The chancellors and directors shall have the following duties and powers over their respective institutional units:

(1) Guide and supervise the university personnel and teaching, technical, research, and administrative tasks.

(2) Develop a budget proposal based on recommendations from the departments, colleges, and other units, which, after being approved by the administrative board, shall be submitted for the corresponding purposes, as provided above, to the President and the University Board.

(3) Represent their respective institutional unit in academic events, ceremonies, and functions.

(4) Preside over the academic senate, the administrative board, and faculty meetings.

(5) Appoint deans upon prior consultation with the corresponding faculty, simultaneously informing the President and the Governing Board. These appointments shall enter into effect after a time limit, as established in the bylaws, which will not exceed sixty (60) days from the notification date. The Governing Board shall summon and hear the chancellors and the President to evaluate said appointments and communicate its decision to approve or reject the positions within that time frame. The deans shall remain in office at the will of the corresponding chancellor. The appointments of other officials who, while not presiding over a college, hold the title of dean shall be made in consultation with the academic senate. The chancellor of the Mayagüez Campus, with the approval of the Governing Board, shall appoint the directors of the Agricultural Experimental Station and Agricultural Extension Service after prior consultation with the teaching personnel of these units, and the personnel of each unit, as proposed by the directors.

(6) Appoint department chairs and directors for other units assigned to a college, upon the recommendation of the dean, after prior consultation with the corresponding department or unit.

(7) Appoint or hire university personnel for their institutional unit. The deans shall propose the appointment or hiring of teaching personnel on recommendation of the director of the department or the corresponding unit, upon prior consultation with the members of said department or unit.

APM (8) Appoint visiting lecturers and, with the approval of the President, any other type of visiting personnel.

(9) Resolve appeals filed against the decisions of the deans.

(10) Submit an annual report on the institutional unit's activities to the President and the Governing Board.

(11) Exercise the authority granted by the chancellor of the University under [Law No. 100 of June 27, 1956](#), regarding matters related to their institutional unit.

(12) Establish the necessary mechanisms so that the various organizations that comprise the university system, such as the administrative boards, the faculty, students, and academic senates, make decisions according to the provisions herein.

Section 8. — Administrative Boards. (18 L.P.R.A. § 607)

A. — Each campus and university college shall have an administrative board comprising the chancellor, who shall act as chairperson; the deans of academic, student, and administrative affairs; the deans of the colleges, wherever applicable; four (4) academic department chairs; two (2) senators elected among the non-*ex officio* members of the academic senate; and a student elected annually by their peers. The Administrative Board of the Mayagüez Campus will include representation of the respective directors of the Agricultural Experimental Station and the Agricultural Extension Service. The Governing Board may eliminate or modify the structure of the Administrative Board of the Medical Sciences Campus according to the special circumstances of said campus within a term of one (1) year of the adoption of this law. Should the Governing Board eliminate the Administrative Board, it may assign its duties and tasks to another body within the Medical Sciences Campus.

B. — The University General Bylaws shall determine the composition and organization of the respective administrative boards in other autonomous institutional units that might be hereafter created.

C. — The administrative boards shall have the following duties:

(1) Advise the chancellor in the performance of their duties.

(2) Draft proposals and development plans for the institutional unit.

(3) Evaluate the budget proposal of the respective institutional unit submitted by the chancellor.

(4) Grant, as proposed by the chancellor, licenses, academic ranks, tenure, and promotions to the teaching and technical personnel of the institutional unit according to the University General Bylaws.

D. — For any matter that requires Board approval and when one of the members duly requests it, a direct and secret ballot of the majority of the members present shall be conducted. For the purposes of this Section, the term "majority" shall mean half plus one of the members present.

Section 9. — Faculty. (18 L.P.R.A. § 608)

A. — Each institutional unit's faculty shall comprise the chancellor, who will preside over it, the deans, and the teaching personnel, and shall be divided into colleges, according to the organization approved by the Governing Board.

B. — The University General Bylaws shall determine everything related to the performance of the faculty's responsibilities, powers, and prerogatives, as well as the rights and duties of each faculty member. They shall provide for the exercise of said rights and compliance with said duties, as well as [the faculty's] contribution to ideas and initiatives to guarantee and foster, at all times, an environment conducive to academic achievement in the University. However, in any matter that requires faculty approval and when one of the members duly requests it, a direct and secret ballot of the majority of the members present shall be conducted. For the purposes of this Section, the term "majority" shall mean half plus one of the members present.

C. — The teaching personnel of each college shall constitute a body to work for the University's academic improvement and cultural progress. Its responsibilities, powers, and prerogatives will be determined by the University General Bylaws.

Section 10. — Students. (18 L.P.R.A. § 609)

A. — As learners and collaborators in the University's mission of culture and service, students are members of the academic community. Thus, they will have the right to participate effectively in the life of that community and will have all the moral and intellectual duties mandated by its very nature.

B. — The General Student Bylaws shall be approved by the Governing Board and proposed by the University Board. It shall establish the rights and duties of students; include those provisions that ensure the orderliness, safety, and normalcy of institutional tasks; and ensure the participation and full, direct, free, and democratic expression of all students. It shall also provide for the creation of a general student council on each campus, a student council in each college, and student committees that will advise the organizations in charge of student support and services. The general student council shall comprise members of the board of directors of the student councils of each college to collect opinions on the problems that students face and channel their ideas and initiatives to guarantee and foster, at all times, an environment conducive to academic achievement at the University. These councils shall be the only ones recognized by university bodies as the sole official student representation so that the democratic, wide, free, and full participation of all students can be channeled. Its members shall be elected solely through individual electronic votes cast by all students. The bylaws will establish the powers of these bodies and the composition of the student council of each college. However, any council determination, decision, agreement, expression, or their equivalent that directly or indirectly affects students shall require the approval of the majority of the total of all students who participate in the consultation and will be carried out pursuant to the provisions in this point. Only the determinations, decisions, agreements, expressions, or their equivalent that are made by students, pursuant to the provisions herein, shall be recognized as such by university authorities.

The aforementioned consultations shall be conducted solely by the individual electronic vote of every duly enrolled student, for which a system that provides a period of no fewer than three calendar days to cast their vote electronically will be established. Any consultation made shall be announced daily and individually to all students through the email they were each assigned by the University, beginning three days prior to the start of the consultation until the last day thereof.

For the purposes of this Act, electronic voting shall be carried out on an electronic website developed for this purpose and that will guarantee a secret ballot. For the purposes of this Section, the term "majority" shall mean half plus one of the students who participate in the consultations. In the event that the consultation requires choosing between two or more alternatives, the alternative that receives the most votes shall be recognized as the official expression.

C. — The respective Dean of Students, with the collaboration of a student committee comprising a representative from each college, shall prepare a draft of the Student Bylaws

for each corresponding campus or college, which shall be remitted to the academic senate for its consideration and then forwarded to the University Board and the Governing Board for final approval.

D. — The Governing Board may, at its discretion, adopt, modify, amend, or repeal regulations that grant student participation with speaking rights or speaking and voting rights in all or some of the University's campuses, university colleges, or institutional units; department and college meetings; academic senates and administrative boards, as well as the University Board, on the dates, manner, and extent that the Governing Board deems most convenient. Likewise, the Governing Board may grant such student participation in committees at the college, department, or division levels, as well as in special committees on disciplinary matters and other university activities.

Section 11. — Academic Senates. (18 L.P.R.A. § 610)

A. — Each campus or university college shall have an academic senate. When dictating the rules for establishing the academic senate in the Medical Sciences Campus, the Governing Board shall take into consideration its particular circumstances.

B. — The academic senates shall be composed as follows:

- (1) The chancellor of each corresponding institutional unit, who shall preside over the senate;
- (2) the deans;
- (3) the library director of each respective institutional unit;
- (4) representatives elected by the corresponding faculty among its tenured members. The University General Bylaws shall determine the number, method of election, and duration of the terms of these senators, with no other restriction than providing that their number is at least double the number of *ex officio* senators.

C. — The senates shall represent the official forum of the academic community to discuss general problems of interest that affect the University's operations and matters for which it has jurisdiction. However, for any matter that requires the approval of the academic senate and when one of its members duly requests it, a direct and secret ballot of the majority of the members present shall be conducted. For the purposes of this Section, the term "majority" shall mean half plus one of the members present.

D. — It shall especially devolve upon the academic senates:

- (1) Determine the general direction of the teaching and research programs in the institutional unit, by coordinating the corresponding college initiatives.
- (2) Establish, for inclusion in the University General Bylaws, the general rules of entry, tenure, rank promotion, and licenses for faculty members.
- (3) Establish the general requirements for student admission, promotion, and graduation.
- (4) Participate in consultations related to appointments of chancellors and deans who do not preside over colleges, pursuant to the provisions herein.
- (5) Elect its representatives on the University Board and Administrative Board.
- (6) Make recommendations to the Governing Board on the creation or reorganization of colleges, schools, or units.

- (7) Make recommendations to the University Board on the draft University General Bylaws proposed by the Board.
- (8) Present to the University Board the draft Student Bylaws with its recommendations.
- (9) Make recommendations to the Governing Board on the creation and conferring of academic distinctions.
- (10) Submit an annual report of its work to the corresponding faculty.
- (11) Establish general rules on all campus or college matters listed in this Section but that involve institutional responsibilities in common.

Section 12. — Properties and Resources of the University of Puerto Rico. (18 L.P.R.A. § 612)

A. — The University shall retain as its own and benefit from any and all assets of whatever nature, rights, privileges, and prerogatives acquired prior to this law and that it currently holds, uses, or benefits from, and any that it might hereafter acquire, as determined herein or otherwise.

B. — The University may approve, impose, review on occasion, and collect dues, fees, rent, and other charges on the right to use or occupy any facility that is the property of or is managed by the University or by any service, right, or privilege provided by any of said facilities or by the University, including but not limited to tuition fees, student dues, and other dues, rentals, charges, lab fees, security deposits, books, supplies, dormitories, houses, and other housing facilities, restaurants and their facilities, parking lots for vehicles, provided facilities, student centers, events and activities, and other services. However, the children of Puerto Rican soldiers who have died in combat or are missing in action or prisoners of war shall be exempt from the aforementioned dues and fees when they enroll in any of the institutions of the University of Puerto Rico system. To receive this benefit, the students must present the corresponding military status certification issued by the Armed Forces of the United States of America.

C. — The University is authorized to retain as its property, use, allocate, disburse, dispose, pledge as security in any bonds, promissory notes, or other liabilities issued from time to time by the University; invest and reinvest; and manage in any other way consistent with the provisions of this law and as deemed appropriate for the University's best interest by the Governing Board, any product, income, earnings, and other revenue derived or to be derived from or on behalf of the University of the following:

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- (1) the collection of dues, rent, fees, and other charges;
 - (2) donations; endowments; funds; free, public, and private contributions; and investments;
 - (3) ownership of farms and other properties and facilities;
 - (4) the sale or disposal of any real state or private property, or any dues or interest thereof, and
 - (5) other operations, activities, and programs of the University.

D. — The University is authorized to accept gifts, donations, endowments, or other aid provided by the laws of the United States of America or any other entity or individual and can request and sign agreements with the United States of America or any other agency or instrumentality thereof or any other public or private entity, including foundations, corporations, governmental bodies, for loans, donations, endowments, or any other aid. The University is authorized to arrange and comply with the requirements, liabilities, terms, and conditions imposed in relation to any such loans, donations, endowments, or aid.

E. — The University is authorized to borrow money in loans for any of its aims and activities. As evidence of such loans, it is authorized to issue bonds, notes, and other liabilities, including temporary and refinancing bonds (collectively referred to herein as "bonds"). The Governing Board may, from time to time, provide for the issuance of bonds subject to the provisions of [Law No. 272, signed on May 15, 1945](#), and through a resolution or resolutions to that effect establishing the purpose or purposes of the issuance of the bonds and the terms, conditions, and other details related to the issuance of such bonds and the security pledged therefor. The bonds may be secured as provided in Law No. 50, signed on June 18, 1958, as amended from time to time or as determined by the Governing Board, and may be issued in compliance with the provisions of said sections or in accordance with the provisions thereof that the Governing Board deems advisable.

F. — *APM* Since the University of Puerto Rico carries out a public service to the Commonwealth of Puerto Rico, it is hereby exempt from the payment of any and all contributions, taxes, tolls, or dues on all properties of whatever nature heretofore acquired or might hereafter acquire; its operations, transactions, or activities; or the income received from any of its operations, transactions, or activities. All bonds, notes, mortgage obligations, or liabilities of the University of Puerto Rico shall be exempt from the payment of income tax. The University's debts and liabilities shall not be debts and liabilities of the Commonwealth of Puerto Rico or any other Puerto Rican municipality or political subdivision, and neither the Commonwealth of Puerto Rico nor any municipality of political subdivision of Puerto Rico shall be held liable therefor.

G. — *Intramural University Practice Plans.*

(1) The University of Puerto Rico is authorized to create intramural university practice plans in its units. Through these plans, the institution may hire individuals and public and private national or foreign institutions and the services they require. The personnel of the University of Puerto Rico may render services voluntarily during or after their regular hours without compromising their academic load and, in addition, receive remuneration as compensation outside of regular hours or a bonus for the discharge of their teaching and administrative duties within regular hours in addition to their regular salary as an employee of the institution.

(2) The intramural university practice plans authorized herein shall be self-sufficient, and the funds raised by the University through intramural university practice plans will be considered public funds, subject to the scrutiny of the corresponding authorities. Said income shall be consigned to a special fund in the units of the University of Puerto Rico that generated it; it will be used, in the first place, to cover the remuneration of the participating personnel and the direct expenses of said programs; in the second place, to strengthen other programs with less demand in the intramural practice program; and in the third place, address other priority non-recurrent expenses within the same campus or unit within the Regional College system and an annual contribution to the General Fund of the University of Puerto Rico.

(3) The Governing Board of the University of Puerto Rico shall delegate to the President of the University and the chancellors the capacity to hire individually. Furthermore, the Board shall establish, through regulation, the rules and procedures that shall govern the establishment and operation of the intramural practice plans in the various units and the manner in which the teaching and support personnel will participate and will be compensated.

(4) The participation of the teaching support personnel of the University of Puerto Rico in these intramural university practice plans shall not be subject to the provisions of Section 177 of the [Puerto Rico Political Code](#) (3 L.P.R.A. § 551).

Section 13. — Personnel Management. (18 L.P.R.A. § 613)

A. — Pursuant to Law No. 5 of October 14, 1975, as amended (3 L.P.R.A. secs. 1301 *et seq.*) known as the "Puerto Rico Public Service Personnel Act" [Note: Currently [Law 8-2017, as amended, "Law for the Management and Transformation of Human Resources in the Government of Puerto Rico"](#)] university personnel shall comprise the following university positions: President, Director of Finance, Auditor, chancellors of the institutional units, deans, Director of the Agricultural Extension Service, Director of the Agricultural Experimental Station, Director of University Enterprises, Director of the Publishing House, Director of Lands and Buildings, assistants to these officials, librarians, library assistants; members of the teaching personnel of the University of Puerto Rico, including its schools, colleges, and units; the personnel assigned to scientific, historical, literary, and artistic research and their assistants; technical personnel of the University; professional personnel and management related to various services to faculty and students as certified by the chancellors of the institutional units; and *bona fide* students of said institution who are employed part time by the University or by any agency of the Government of Puerto Rico. The personnel of the University of Puerto Rico shall also include personnel not included in any of the categories mentioned above, as specified by the President or chancellors, as applicable.

B. — The university personnel appointed before this law entered into force shall receive tenure, when otherwise entitled thereto, in accordance with the time and terms of service provided in Section 16 of Law No. 135 of May 7, 1942, as amended, or according to the University General Bylaws that might be adopted pursuant to the terms of this law, whichever may be more advantageous.

C. — No member of the university personnel with a permanent appointment may be removed without having previously filed a charge against the person and providing them an opportunity for their defense. However, the President of the University and the chancellor of each institutional unit may, if required by university interests, suspend from employment and salary any member of the university personnel of the office of the President or institutional unit, respectively, until the charges against them are heard, without prejudice to the appeal actions granted hereunder.

Section 14. — Definitions. (18 L.P.R.A. § 614)

(a) The following words and phrases as used herein shall have the following meaning, except when the context clearly indicates otherwise:

- (1) **University** - It shall mean the University of Puerto Rico.
- (2) **Board** - It shall mean the Governing Board established herein.
- (3) **University personnel** - It shall mean the teaching, technical, and administrative staff of the University.
- (4) **Teaching personnel** - It shall refer to the people engaged in teaching, scientific research, and technical dissemination, or all three, and professional librarians. It is hereby stated that social workers, psychologists, and professional counselors shall be considered teaching personnel. In the case of the Agricultural Extension Service and the Experimental Station, [positions] considered "teaching personnel" shall be deemed to be what the Governing Board provides according to subparagraph b of Section 4.
- (5) **Administrative technical personnel** - It shall mean the university staff not included under the definition of teaching personnel.
- (6) **Institutional unit** - It shall mean each autonomous administrative and academic unit of the university system, comprising its colleges, schools, services, and other units.
- (7) **Faculty** - It shall refer to the dean and teaching personnel assigned to a college or school that is not part of a college.
- (8) **Department** - It shall refer to an academic and administrative division within a college.
- (9) **Consultation** - It shall mean reciprocal communication between the official and the body consulted, conducted in a manner determined by the Governing Board without the need for a vote.
- (10) **Intramural university practice plans** - It shall mean those programs established by the institutional units in accordance with the bylaws approved by the Governing Board to offer services through contracts to individuals or public and private institutions using the volunteer participation of teaching and support personnel, generating resources for the institution and participating personnel.

Section 15. — General and Transitional Provisions. (18 L.P.R.A. § 601 note)

- (1) The officials of the University, appointed or hired pursuant to the provisions of Law No. 135 of May 7, 1942, as amended, shall continue to perform their responsibilities according to the terms of their respective appointments or contracts until their successors are appointed and take office in keeping with the provisions herein.
- (2) The continuity of all rights acquired by all university personnel under the provisions of the law in force on the date of adoption of this law is hereby guaranteed.

(3) The continuity of the contractual obligations incurred by the chancellor of the University or the current university management with the workers and employees of the physical plant in voluntary collective agreements with the organizations of said workers or employees is hereby guaranteed.

(4) Any duties, powers, prerogatives, or responsibilities assigned to the Superior Educational Council, the chancellor, or the University of Puerto Rico by the laws of the Puerto Rico Legislative Assembly enacted prior to this law and that are compatible with the provisions herein shall continue to govern and bind the Governing Board, the President of the University of Puerto Rico, or the University of Puerto Rico, respectively.

(5) All prerogatives, powers, and responsibilities contracted by any official body or official of the University of Puerto Rico under the laws in force prior to the adoption of this law or by virtue of any federal law, grant, or contract, the transfer of which is not explicitly established by the provisions of this law, are recognized herein and continue in force.

(6) Acceptance of all legislation adopted by the United States that extends to Puerto Rico for the benefit of the University is ratified.

(7) Law No. 221 of May 15, 1938, is also ratified in terms of everything concerning the purpose of organizing and developing agricultural extension, experimentation, and research, and the Higher Education Council is authorized to assume the responsibilities and duties that, according to said law and Law No. 135 of May 7, 1942, as amended, belonged to the Superior Educational Council.

APM (8) The Superior Educational Council shall be the governing board of the University until the Higher Education Council takes up its duties.

(9) Once the Council created herein is duly constituted and organized, it shall begin to enforce the provisions of this law according to its basic principles and through the organizations and procedures established by virtue thereof.

(10) The Council shall have the power to adopt those transitional measures and make the necessary decisions so that the University's administrative and teaching processes are not interrupted.

Section 16. — Repealing Clause. (18 L.P.R.A. § 601 note)

Law No. 135 of May 7, 1942, as amended, and Law No. 88 of April 25, 1949, are hereby repealed.

Section 17. — Title. (18 L.P.R.A. § 601 note)

This law may be cited by the short title "University of Puerto Rico Act."

Section 18. — Validity. — This law shall enter into force immediately after its adoption.

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