

## ***“University of Puerto Rico Act”***

Act No. 1 of January 20, 1966 as amended

(Contains amendments incorporated by:

Act No. 10 of June 9, 1972

Act No. 26 of July 11, 1978

Act No. 27 of July 11, 1978

Act No. 16 of June 16, 1993

Act No. 17 of June 16, 1993

Act No. 54 of August 6, 1994

Act No. 174 of August 31, 1996

Act No. 128 of August 12, 1996

Act No. 112 of September 4, 1997

Act No. 200 of December 26, 1997

Act No. 186 of August 7, 1998

Act No. 176 of August 30, 2006)

(Amendments non-incorporated:

Act No. 65 of June 21, 2010)

To reorganize the University of Puerto Rico; to ratify the acceptance of certain laws by the Legislative Assembly; and to repeal Act No. 135 of May 7, 1942, as amended, and Act No. 88 of April 25, 1949.

*Be it enacted by the Legislature of Puerto Rico:*

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

The purpose of this act is 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 [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 esthetic 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.

**Section 3. — Board of Trustees.** (18 L.P.R.A. § 602)

- (a) The University of Puerto Rico shall be governed and administered by a Board of Trustees, which shall be denominated "Board of Trustees of the University of Puerto Rico".
- (b) *Composition.*

(1) The Board of Trustees of the University of Puerto Rico shall be composed of thirteen (13) members, to include one second year or higher fulltime student, two (2) tenured university faculty members and ten (10) citizens, members of the community, of which at least one must be a graduate of the University of Puerto Rico. These last mentioned members shall be appointed by the Governor with the advice and consent of the Senate of Puerto Rico. All members of the Board of Trustees shall hold office until their successors are appointed and take possession and shall be over eighteen (18) years of age, American citizens, residents of Puerto Rico and shall comply with Act No. 12 of July 24, 1985, as amended known as the "Government Ethics Act of the Commonwealth of Puerto Rico" [*Note: Repealed by Act 1-2012 known as "Puerto Rico Government Ethics Act of 2011"*]. For the purpose of making the appointments corresponding to the Board of Trustees, and without it being intended as a limitation to the faculties inherent to their office, the Governor shall designate a Committee that shall identify, evaluate and recommend candidates to the Board of Trustees of the University of Puerto Rico.

The students and faculty members that currently represent the student body and the faculty staff on the University Board shall elect among themselves, respectively, and through secret ballot, the student and faculty members that will serve as members of the Board of Trustees. The faculty staff representatives shall not belong to the same campus. The Office of the Secretary of the University Board shall conduct the election pursuant to university practices and customs and shall certify to the Board those who have been elected. On assuming their

functions as members of the Board of Trustees, those elected shall cease to function as representatives to the University Board and their office shall be covered by the corresponding campus as provided for by law or regulation.

(2) The representatives of the teaching personnel and of the student body duly certified by the Office of the Secretary of the University Board shall serve on the Board of Trustees for a term of one year. Those members who represent the various sectors of the academic community shall serve for one term and shall cease to hold office as members of the Board of Trustees should they become disengaged from the institution during said period. The ten (10) members appointed by the Governor shall serve for a term of six (6) years, except for the first members of the Board who shall hold office pursuant to the following distribution: five (5) for eight (8) years; three (3) for six (6) years and two (2) for four (4) years. None of these members shall be appointed for more than two (2) consecutive terms. The members of the Board of Trustees shall only be discharged after determination of just cause after filing charges.

(3) No member of the Legislature of Puerto Rico, nor any other person who holds a position in or is employed by the government of Puerto Rico or any instrumentality or public corporation other than the University of Puerto Rico may be appointed to the Board by the Governor. Neither shall any official of a private higher education institution be appointed to the Board.

(4) Once constituted, the Board shall be convened by the Secretary of Education for its opening session during which a Chairperson and all those other officials deemed necessary for the performance of their appointed tasks shall be elected from among its members. The Board of Trustees shall set the term of office of these officials through regulation.

(5) Any Board of Trustees vacancy shall be covered as established in clause (1) of this subsection and shall only be extended for the remainder of the term for which its predecessor was designated.

(c) *Quorum, sessions and per diems.*

(1) Seven (7) members shall constitute a quorum for the Board. The Board shall meet in regular sessions pursuant to the yearly calendar which it shall approve and publish in due time. The Board may hold special meetings or meetings of committees or other entities, which have been convoked by its Chairperson *motu proprio* or by request of seven (7) of its members. The agreements and resolutions of the Board shall be made by the majority of the quorum of members present, but no agreement nor resolution shall be adopted without the affirmative vote of at least seven (7) of its members.

(2) All members of the Board shall receive per diems equivalent to the lesser per diem established in the Political Code for members of the Legislature for attendance to sessions or meetings of the commission, or for each special committee meetings or those of any other body, or for work performed as authorized by the Chairperson of the Board, except for the Chairperson of the Board, who shall receive a per diem equivalent to one hundred and thirty-three percent (133%) of the per diem received by the other members of the Board.

(d) *Powers and duties.*

The Board shall formulate the directives which shall govern the direction and development of the University, it shall examine and approve the general operational standards proposed by the legislative and administrative bodies of the latter, pursuant to this Act, and shall supervise the general progress of the institution.

(e) *Nondelegable duties and attributes.*

- (1) Approve the integral development plan of the University and revise it annually.
- (2) Authorize the creation, modification and reorganization of campuses, centers and other university institutional units; of colleges, schools, faculties, departments and dependencies of the University; but the Board may not abolish those autonomous institutional units created by this Act, nor the existing Regional Colleges, without previous authorization of the law.
- (3) Authorize the creation and elimination of the positions held by assistants to the President of the University.
- (4) Authorize the creation and elimination of the positions held by Deans who do not preside over faculties.
- (5) Approve or amend the General University Regulations, the General Student Regulations, the Student Regulations for each campus, the Retirement System Regulations and any other regulations of general application, pursuant to the provisions of Act No. 170 of August 12, 1988 [3 L.P.R.A. §§ 2101 et seq.] known as the "Uniform Administrative Procedures Act".
- (6) Decide on appeals filed against the decisions of the President, the University Board and the Board of Appeals of the administrative technical staff of the university system.
- (7) Appoint, in consultation with the Academic Senates or with the equivalent bodies from the various units, the University President; the Chancellors of the University campuses of Río Piedras, Mayagüez, and Medical Sciences, the Regional Colleges Administration, the Cayey and Humacao University Colleges and of any other autonomous unit created within the University System that the Board of Trustees determines, because of its condition, must be governed by a Chancellor. Said officials shall hold office at the will of the Board. The Board of Trustees shall evaluate the performance of each of the aforementioned officials on each term of not less than three (3) years nor more than five (5) years during their tenure. Said evaluation shall be done in writing, discussed with each incumbent and shall become a part of the pertinent file of the Board of Trustees.
- (8) Approve the appointments of the Finance Director and of such other assistants to the President of the University that may require its approval.
- (9) Consider [and] approve the budget proposal for the University System submitted yearly by the President and approve and maintain a uniform accounting and auditing system for the use of University funds pursuant to the law and the regulations. If at the close of any fiscal year the University budget for the ensuing year has not been approved as provided for in this Act, the budget for the previous year shall remain in force.
- (10) Render a yearly report to the Governor and the Legislature concerning its activities and the status and finances of the University.
- (11) Adopt standards regarding the rights and duties of the University personnel and to set the salaries and emoluments of the University officials appointed by the Board itself.
- (12) Create and confer academic awards, *motu proprio*, or at the proposal of the Academic Senates.
- (13) Establish the procedure for the temporary substitution of University officials.
- (14) Adopt parietal regulations.
- (15) Maintain a medical insurance plan and a pension system for all university personnel, which shall include a loan plan.
- (16) Organize its office, appoint its personnel and contract for the services of such experts, advisors and technicians necessary for the exercise of the powers vested upon it by this Act;

and to appropriate the funds needed to achieve such a purpose. Personnel assigned to the present Council, except that of the Licensing and Counseling Office (Oficina de Licencia y Asesoramiento), shall be transferred to the new Board of Trustees and shall maintain all acquired rights, privileges and obligations.

(17) Establish general regulations for granting scholarships and any other financial assistance in the public University System.

(18) Prepare and remit to the Legislature, within a term of not more than eighteen (18) months from the time the Board is constituted, a revision plan for the University Act providing mechanisms guaranteeing the full participation of all university sectors. University autonomy of all units and respect for academic freedom must be essential considerations in any review proposal. The proposed plan must provide for the decentralization of the system and at the same time stimulate our commitment to scientific research, technology development and the modernization of University processes.

(19) Authorize the creation of subsidiary or affiliated corporations to render services to the university community and to the people of Puerto Rico, including, but not limited to establish a nonprofit corporation to operate a hospital of the University of Puerto Rico, attached to the Medical Science Campus, which shall be the main institution of medical education of the University.

(f) *Effectiveness of previous regulations and certifications.*

(1) All regulations, as well as all certifications, approved by the former Council on Higher Education pertaining to the University of Puerto Rico which were in effect at the time of approval of this act shall continue to be in effect until the Board of Trustees hereby created modifies or revokes them. All labor agreements shall remain unaltered until all parties agree otherwise.

#### **Section 4. — Organization.** (18 L.P.R.A. § 603)

(a) The University of Puerto Rico shall constitute an organic system of higher education, composed of the following institutional units and those hereafter created, which shall function with academic and administrative autonomy within the standards provided by this Act and those that may be set forth in the University regulations or in resolutions of the Board of Trustees, created by Act No. 17 of June 16, 1993 [18 L.P.R.A. §§ 852 et seq.]:

(1) The Río Piedras University Campus, which shall be integrated by all the schools, colleges, faculties, departments, institutes, research centers and other dependencies at present comprising the Río Piedras precinct of the University of Puerto Rico;

(2) the Mayagüez University Campus, which shall be integrated by all the schools, colleges, faculties, departments, institutes, research centers and other dependencies at present operating in the College of Agriculture and Mechanic Arts of the University of Puerto Rico. The Agricultural Experiment Station and the Agricultural Extension Service shall be integrated to this campus in the administrative and programmatic phases and their qualified personnel shall be incorporated into the faculty as the Council may determine, in order that the campus, as beneficiary of the act of the United States Congress approved August 30, 1890, as amended, known as the "Second Morrill Act", and of all acts of Congress complementary thereto, may foster and develop a university agricultural system integrating teaching, experimentation and divulgation;

- (3) the Medical Sciences University Campus, which shall be integrated by the School of Medicine and Tropical Medicine, the School of Odontology, and the other schools, services, institutes and programs for teaching and research in the arts and sciences of health, which at present constitute the San Juan precinct of the University of Puerto Rico, and
- (4) the colleges under the Administration of Regional Colleges granted autonomy to conduct their affairs by the Board of Trustees.

**Section 5. — The President.** (18 L.P.R.A. § 604)

(a) The Higher Education Council shall appoint the President of the University.

The Council shall establish a consultation system for the appointment of the President.

(b) The President shall be the director of the University System. In such capacity, he shall act in representation of the Council and, with the collaboration of the University Board, he shall coordinate and supervise the university work. He shall also coordinate the initiatives of university bodies and officials, and shall take his own initiatives in promoting the development of the University.

(c) In the fulfillment of the functions described above, the President shall have the following duties and attributes:

- (1) To execute and enforce the objectives, standards, regulations, and budgetary and development plans of the University.
- (2) To officially represent the University.
- (3) To preside over the University Board.
- (4) To prepare, with the advice of the University Board, and submit for the consideration of the Board of Trustees, the plan for the integral development of the University and annual revisions thereto, on the basis of the projects and recommendations originating in the campuses, university colleges and other autonomous institutional units.
- (5) To submit to the Council the regulations of general application and all resolutions of the University Board requiring the Council's approval.
- (6) To prepare the overall budget for the entire University System based on the budget proposals submitted by the respective chancellors, once approved by the Administrative Boards of the University campuses and Colleges, and to submit the same with the recommendations of the University Board for the consideration and approval of the Board of Trustees.
- (7) To submit for the consideration of the Board of Trustees the appointments of the chancellors of the autonomous institutional units, of the Director of Finance and of such other officials that require confirmation by the Board.
- (8) To appoint or contract the technical and administrative personnel of his/her office and the personnel of the university dependencies not under the administrative jurisdiction of any campus or college. With regard to these appointments and contracts, the President shall have the authority granted to the University Chancellor by virtue of §§ 678 et seq. of this title.
- (9) To pass upon those appeals brought against the decisions of the chancellors.
- (10) To establish and maintain relationships with universities and cultural centers of Puerto Rico and abroad.
- (11) To render to the Council an annual report on all aspects of university life.

(d) The President shall be ex officio member of the faculties, academic senates and administrative boards of the University System.

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

(a) There shall be a University Board constituted by the President of the University, who shall preside [over] it, the chancellors of the university campuses and colleges, the Director of Finance, and three (3) additional officials equal in number to the representatives of the Senates and of the student body nominated by the President with the approval of the Board of Trustees, and by a representative elected by each Academic Senate from among its non-ex officio members, and a representative of the student body of each institutional unit elected annually among themselves.

(b) The meetings of the Board shall be called by its chairman, motu proprio or on petition of a majority of the members composing it. A majority of Board members shall constitute a quorum.

(c) By authority of the Higher Education Council and without prejudice to the powers thereof, it shall be an essential function of the Board to maintain integrated the University System with respect to its overall planning, and shall advise the President in coordinating the operation of the various institutional units in their academic, administrative, and financial phases. In the fulfilment of this function, the Board, in its case, and the President, in his, shall take all initiatives for development and coordination as circumstances may call for, without impairment of the powers vested in the institutional units in recognition of their autonomy.

(d) It shall especially devolve upon the Board:

(1) To draft, on or before December 31 of 1978, a proposal for the General Regulations of the University, which draft shall be submitted to the Academic Senates for examination and, in the light of the latter's report, thence transmitted by the President to the consideration of the Council.

(2) To work out the General Student Regulations and submit same to the final consideration of the Council.

(3) To consider the development plan of the University submitted by the President and to make such recommendations thereon as it may deem pertinent, for consideration by the Council.

(4) To consider the overall budget proposal for the University System as framed by the University President, to be submitted to the Council and to make such recommendations as it may deem pertinent.

(5) To pass upon those appeals brought against the decisions of the Administrative Boards and the Academic Senates of every university campus or college.

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

(a) The university campuses and colleges shall each be under the direction of a chancellor.

(b) The chancellor shall exercise administrative and academic authority within the scope of his/her respective institutional unit pursuant to the provisions of this Act and the university standards and regulations. The chancellors shall be nominated by the President of the University after consultation with the respective Academic Senates, for their consideration by the Board of Trustees.

(c) Duties and attributes of the chancellors and directors in their respective institutional units shall be:

- (1) To orient and supervise the university personnel and the teaching, technical, research and administrative functions.
- (2) To frame the budget proposal based on the recommendations of the departments, faculties and other dependencies, which, after approved by the Administrative Board, shall be submitted for the pertinent purposes, as above provided, to the President and the University Board.
- (3) To represent the respective institutional unit at acts, ceremonies and academic functions.
- (4) To preside over the Academic Senate, the Administrative Board and the faculty's meetings.
- (5) To appoint the Deans after consultation with the corresponding faculty, with simultaneous notice to the President and the Board of Trustees. These appointments shall become effective after the lapse of a given period of time to be set by regulation and which shall not exceed sixty (60) days from the date of notice. The Board of Trustees shall summon and hear the chancellors and the President to evaluate said appointments, and shall convey its decision approving or disapproving the same within that period of time. The Deans shall remain in office at the will of the corresponding Chancellor. The appointments of other officials who, while not presiding [over] faculties, hold the title of dean, shall be made in consultation with the Academic Senate. The Chancellor of the Mayagüez Campus shall appoint the directors of the Agricultural Experimental Station and the Agricultural Extension Service with the approval of the Board of Trustees and after consultation with the teaching personnel of these dependencies and, upon proposal of the directors by the personnel thereof.
- (6) To appoint the directors of departments and of other dependencies attached to a faculty, upon recommendation of the dean after the latter's consultation with the corresponding department or dependency.
- (7) To appoint or contract the university personnel of their institutional units. The deans shall propose the appointment or contracting of the teaching personnel on recommendation of the director of the corresponding department or dependency upon the latter's consultation with the members of said department or dependency.
- (8) To appoint visiting lecturers and, with the approval of the President, any other type of visiting personnel.
- (9) To pass on appeals taken against decisions of the deans.
- (10) To render an annual report on the activities of their institutional units to the President and the Council.
- (11) To exercise the authority granted to the Chancellor of the University under Act No. 100 of June 27, 1956 [18 L.P.R.A. §§ 678-681], with respect to their institutional units.

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

(a) Every university campus and college shall have an administrative board constituted by the Chancellor, who shall be chairperson thereof, the deans of academic, student and administrative affairs, the faculty deans, whether there is one or not, four (4) directors of academic departments, two (2) senators elected from among the non-ex officio members of their Academic Senates and a student elected annually by his/her peers. On the administrative board of the Mayagüez



Campus, the Agricultural Experimental Station and the Agricultural Extension Service shall be represented by their respective directors. The Board of Trustees may eliminate or modify the structure of administrative board of the Medical Sciences Campus according to the special circumstances of said Campus within the term of one year from the date of approval of this act. Should the Board of Trustees eliminate the administrative board, it may assign the duties and functions thereof to some other body within the Medical Sciences Campus.

(b) The General University Regulations shall determine the constitution and organization of the respective administrative board in other autonomous institutional units hereafter created.

(c) The functions of the administrative boards shall be the following:

(1) To advise the chancellor in the exercise of his functions.

(2) To work out the projects and development plans of the respective institutional unit.

(3) To consider the budget proposal of the respective institutional unit, submitted by the chancellor.

(4) To grant, on proposal of the chancellor, the licenses, academic ranks, permanency and promotions of the teaching and technical personnel of the institutional unit, in accordance with the General University Regulations.

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

(a) The faculty of each institutional unit shall be constituted by the Chancellor, who shall be chairperson thereof, the deans and the members of the teaching staff, and shall be divided into colleges or faculties according to the organization approved by the Board of Trustees.

(b) The General University Regulations shall determine everything relative to the performance and exercise of the functions, attributes and prerogatives of the Faculty as well as the duties and rights of each faculty member; and shall provide for the exercise of such rights and the performance of such duties in a manner that will insure order, safety and normalcy in the institutional tasks.

(c) The teaching personnel of each college or faculty shall constitute a body to work for the academic improvement and cultural advancement of the University. Their functions, attributes and prerogatives shall be determined by the General University Regulations.

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

(a) As students and as collaborators in the University's mission of culture and service, the students are members of the academic community. They shall therefore enjoy the right to participate effectively in the life of that community and shall have all the duties of moral and intellectual responsibility that this naturally entails.

(b) The General Students Regulations, which shall be approved by the Board of Trustees upon the proposal of the University Board, shall set forth the rights and duties of the students and contain those provisions that will ensure the orderliness, safety and normalcy of the institutional tasks. They shall also provide for the establishment of a General Student Council in each university campus and college, and a Student Council in each faculty, and student committees that shall advise the bodies in charge of providing services and assistance to the students. The General Student Council shall be constituted by members of the governing bodies of the Student Councils of each faculty in order to gather the consensus of opinion regarding the problems the

students face and channel the ideas and initiatives they contribute for the University to function at its best. The Regulations shall set forth the powers of these Bodies and the constitution of the Student Council of each faculty.

(c) The respective Dean of Students, with the collaboration of a student committee constituted by a representative of each faculty, shall prepare a Draft of the Student Regulations for the corresponding university campus or college, which shall first be remitted to the Academic Senate for its consideration and then sent to the University Board and to the Board of Trustees for their final approval.

(d) The Board of Trustees may, at its discretion, adopt, modify, amend or repeal regulations granting student participation with voice and vote in all or some university campuses and colleges or other institutional units of the University at the meetings of the Faculty and Departments, the Academic Senates and the Administrative and University Boards, on the dates, in the way and manner and to the extent that the Board of Trustees may deem most convenient. The Board of Trustees may likewise grant such student participation in committees at Faculty, Department or Division levels, as well as in Special Committees on disciplinary matters and other university activities.

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

(a) Every university campus and college shall have an academic senate. In prescribing the standards for the establishment of the academic senate of the Medical Sciences Campus, the Board of Trustees shall take into consideration the special circumstances of the latter.

(b) The academic senate shall be composed as follows:

(1) The Chancellor of the respective institutional unit, who shall be its Chairperson;

(2) the deans;

(3) the director of the library of the respective institutional unit;

(4) representatives elected by the corresponding faculty from among its permanent members.

The General University Regulations shall determine the number, manner of election and tenure of these senators with no further restriction than to provide that their number be at least double that of the ex officio senators.

(c) The senates shall constitute the official forum of the academic community for the discussion of the general problems concerning the proper functioning of the University and of matters within its jurisdiction.

(d) It shall especially devolve upon the academic senates:

(1) To determine the general orientation of the teaching and research programs in the institutional unit, by coordinating the initiatives of the corresponding faculties and departments.

(2) To establish, for inclusion in the General University Regulations, the general rules for appointments, permanency, promotion in rank and licenses of the faculty members.

(3) To establish the general requirements for admission, promotion and graduation of students.

(4) To participate in consultations regarding the appointments of the chancellors and deans who do not preside over faculties, according to the provisions of this Act.

(5) To elect their representatives on the University Board and the Administrative Board.

- (6) To make recommendations to the Council on the creation or reorganization of faculties, colleges, schools or dependencies.
- (7) To make recommendations to the University Board on the draft for the General University Regulations proposed by said board.
- (8) To submit to the University Board, with recommendations, the Student Regulations draft.
- (9) To make recommendations to the Council for the creation and conferring of academic awards.
- (10) To render an annual report on its activities to the corresponding faculties.
- (11) To establish general standards on all those matters concerning the university campus or college listed in this section but which involve common institutional responsibilities.

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

(a) The University shall hold and retain as its own and shall enjoy all properties of whatever nature, rights, privileges and prerogatives acquired prior to this Act and at present possessed, used or enjoyed by it, and those which it may hereafter acquire as determined in this Act or otherwise.

(b) The University may approve, impose, revise from time to time and collect fees, duties, rentals and other charges for the right to use or occupation of any facilities owned or administered by the University, or for any service, right or privilege provided by any such facility or by the University, including, but not limited to tuition fees, student dues and other fees, rentals, charges, laboratory fees, breakage fees, books, supplies, dormitories, houses and other housing facilities, restaurants and their facilities, parking lots for vehicles, facilities provided by student centers, events and activities and other services. However, the children of Puerto Rican soldiers who have died in action, are missing in action or prisoners of war who enroll in any of the institutions of the University of Puerto Rico System shall be exempted from the payment of all the aforementioned fees and charges. The students shall submit the corresponding military status certification issued by the Armed Forces of the United States of America in order to avail themselves of this benefit.

(c) The University is hereby authorized to hold and retain as its own, and to use, devote, disburse, dispose of, pledge to the payment of any bonds, notes or other obligations from time to time issued by the University, invest and reinvest and administer in any other manner not inconsistent with the provisions of this Act, and as the Council may find to be in the best interest of the University, all of the proceeds, receipts, profits and other income derived or to be derived by or in behalf of the University, from:

- (1) The collection of fees, rentals, duties and other charges;
  - (2) donations, legacies, funds, gratuitous contributions, public and private, and investments;
  - (3) the possession of farms and other properties and their facilities;
  - (4) the sale or alienation of any property, real or personal, or any right or interest therein, and
  - (5) other operations, activities and programs of the University.
- (d) The University is hereby authorized to accept gifts, donations, legacies or other aid provided by laws of the United States of America or by any other entity or person, and may seek and enter into agreement with the United States of America or any agency or instrumentality thereof or any other public or private entity, including foundations, corporations, governmental bodies or persons, for loans, donations, legacies or other aid. The

University is hereby authorized to agree to and comply with the requirements, obligations, terms and conditions imposed in relation with any such loan, donation, legacy or other aid.

(e) The University is hereby authorized to borrow money for any of its purposes and activities and to issue, as evidence of such loans, bonds, notes and other obligations, including provisional bonds and refunding bonds (herein collectively called "bonds"). The Council may from time to time provide for the issuance of bonds subject to the provisions of Act No. 272, approved May 15, 1945, [7 L.P.R.A. §§ 581-595], and through resolution or resolutions to that effect, stating the purpose or purposes of each bond issue and the terms, conditions and other details related with the issuance of such bonds and the security pledged therefor. The bonds may be secured as provided in Act No. 50, approved June 18, 1958, [18 L.P.R.A. §§ 821-830], as amended or as may be from time to time amended, or in such other manner as the Council may determine, and may be issued in conformity with said sections or with such provisions thereof as the Council may deem advisable.

(f) Because it achieves a public purpose of the Commonwealth of Puerto Rico, the University of Puerto Rico is hereby exempted from the payment of any taxes, imposts, duties, or fees of any kind whatsoever on all the properties of whatever nature heretofore or hereafter acquired by it, or on its operations, transactions or activities, or on the income derived from any of its operations, transactions or activities. All bonds, notes, mortgage obligations and other obligations of the University of Puerto Rico shall be exempt from the payment of any income tax. The debts or obligations of the University shall not be debts or obligations of the Commonwealth of Puerto Rico, nor of any municipality or other political subdivision of Puerto Rico, and neither the Commonwealth of Puerto Rico nor any municipality or political subdivision of Puerto Rico shall be liable therefor.

(g)

(1) *University intramural practice plans.* — The University of Puerto Rico is hereby authorized to create university intramural practice plans within its units. Through these plans, the institution can contract with domestic or foreign public and private persons and institutions, those services the latter may require and in which the University of Puerto Rico may render services as volunteers during or outside their regular working hours, without undermining their academic duties and for which they may also receive retribution as compensation for work outside their regular working hours or as a bonus for the discharge of their teaching and administrative duties within their regular working schedule, in addition to their regular salary as employees of the institution.

(2) The university intramural plans authorized herein shall be self-sufficient, and the funds collected by the University on account of the university intramural practice plans shall be deemed to be public funds, subject to the scrutiny of the corresponding authorities. Said revenues shall be consigned in a special fund within the University of Puerto Rico units generating the same, and shall be used in the first place, to defray the compensation for the participating personnel and the direct expenses of said programs; in the second place, to strengthen others with a lesser demand within the Intramural Practice Program; and in the third place, to cover other non-recurrent, top priority expenses within the Campus itself or within the unit of the Regional College system, and for an annual contribution to the General Fund of the University of Puerto Rico.

(3) The Board of Trustees of the University of Puerto Rico may delegate on the President of the University and the Chancellors, the power to contract individually. Furthermore, the

Board shall establish, through regulations, the norms 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 the supporting personnel shall participate and be compensated.

(4) The participation of the teaching and the supporting personnel of the University of Puerto Rico in these university intramural practice plans shall not be subject to the provisions of Section 177 of the Political Code of 1902 [3 L.P.R.A. § 551].

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

(a) For the purposes of Act No. 5 of October 14, 1975, known as the "Puerto Rico Public Service Personnel Act", the University personnel shall comprise the following university positions: the President, the Director of Finance, the Auditor, the Chancellors of institutional units, the Deans, the Director of the Agricultural Extension Service, the Director of the Agricultural Experimental Station, the Director of the University Enterprises, the Director of the University Publishing House, the Director of Lands and Buildings, the assistants of the various officials, the Librarians and Library Assistants, the members of the teaching staff of the University of Puerto Rico, including all its colleges, schools, faculties and dependencies; the personnel engaged in scientific, historical, literary and art research and their assistants; the technical personnel of the University; the professional and supervisory personnel concerned with the various services provided for the professors and the students as certified by the chancellors of the institutional units; and the bona fide students of said institution who are part-time employees of the University or of any agency of the Government of Puerto Rico. The university personnel of the University of Puerto Rico shall also include the personnel not included in the foregoing categories as heretofore or hereafter specified by the President and the chancellors, as pertinent.

(b) The University personnel appointed prior to the effectiveness of this act shall acquire permanency, when otherwise entitled thereto, in accord with the time and periods of service provided in Section 16 of Act No. 135 of May 7, 1942, as amended, or according to the General University Regulations adopted hereunder, whichever may be more advantageous.

(c) No member of the University personnel whose appointment is of a permanent nature, may be removed without previously having had charges brought against him/her and being given the opportunity to defend him/herself. However, should the best interests of the university require it, the President of the University and the chancellor of each institutional unit may suspend any member of the university personnel ascribed to the office of the President or to the institutional unit, respectively, from employment and salary until the charges against said person have been discussed, without prejudice to the appeal resources granted in this Act.

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

(a) The following words and phrases as used in this Act shall have the following meaning, save where the context clearly indicates otherwise:

(1) *University.* — Shall mean the University of Puerto Rico.

(2) *Council.* — Shall mean the Higher Education Council established by this Act.

(3) *University Personnel.* — Shall mean the teaching, technical and administrative staff of the University.

(4) *Teaching Personnel.* — Shall mean the personnel engaged in teaching, scientific research and technical publication, or all three of them, and professional librarians. Provided, That social workers, psychologists and professional counselors shall be deemed as teaching personnel, except with regard to the Agricultural Extension Service and the Experiment Station personnel, in which case "teaching personnel" shall be deemed to be what the Council provides pursuant to subsection (b) of Section 4 [18 L.P.R.A. § 603(a)(2)].

(5) *Technical and Administrative Personnel.* — Shall mean the University personnel not included under the definition of teaching personnel.

(6) *Institutional Unit.* — Shall mean each one of the autonomous administrative and academic units of the university system constituted by colleges, faculties, schools, services and other dependencies.

(7) *Faculty.* — Shall mean the dean and the teaching personnel attached to a college or to a school not a part of a college.

(8) *Department.* — Shall mean an academic and administrative division within a college or a faculty.

(9) *Consultation.* — Shall mean reciprocal communication between the official or body making it and the official or body consulted, as determined by the Council, and not involving the taking of a vote.

(10) *Intramural University Practice Plan.* — Shall mean those programs established by the institutional units pursuant to the Regulations approved by the Board of Trustees, to offer services through contracts, to public and private persons and institutions, using the teaching and the supporting personnel that participate voluntarily, generating resources for the institution and the participating personnel.

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

(1) University officials appointed or contracted under the provisions of Act No. 135 of May 7, 1942, as amended, shall continue in the discharge of their offices pursuant to the terms of their respective appointments or contracts and until their successors are appointed and qualify in accordance with the provisions of this act.

(2) Continuity is hereby guaranteed of all rights acquired by all university personnel under the provisions of the legislation in force on the date of approval of this act.

(3) Continuity is hereby guaranteed of all contractual obligations incurred by the Chancellor of the University or the present university administration with the workers and employees of the physical plant under voluntary collective agreements with the labor organizations of said workers or employees.

(4) Any duties, attributes, prerogatives or functions assigned or accorded to the Superior Educational Council, the Chancellor or the University of Puerto Rico by laws of the Legislature of Puerto Rico promulgated prior to and not incompatible with the provisions of this act, shall continue in effect and binding on the Higher Education Council, the President of the University, or the University of Puerto Rico, respectively.

(5) All prerogatives, attributes and responsibilities contracted by any official body or officer of the University of Puerto Rico under the laws in force prior to the approval of this act, or under any federal law, grant or contract whose transference is not specifically established by the provisions of this act, are hereby acknowledged and shall continue in force.

(6) Acceptance of all legislation approved by the United States Congress and made extensive to Puerto Rico for the benefit of the University is hereby ratified.

(7) Likewise ratified hereby is Act No. 221 of May 15, 1938, in all that concerns the purpose of organizing and developing agricultural extension, experimental and research work, and the Higher Education Council is hereby authorized to assume the functions and duties appertaining to the Superior Educational Council under said act and Act No. 135 of May 7, 1942, as amended.

(8) The Superior Educational Council shall be the governing board of the University meanwhile the Higher Education Council enters in the discharge of its duties.

(9) As soon as the Higher Education Council created by this act has been duly constituted and organized, it shall proceed to put into effect the provisions of this act in accord with the principles herein set forth and through the organizations and procedures established hereunder.

(10) The Council shall be empowered to adopt such transitory measures and to make such decisions as may be necessary not to interrupt the administrative and teaching processes of the University.

**Section 16.** — [Repeal] (18 L.P.R.A. § 601 note)

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

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

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

**Section 18.** — This act shall take effect immediately after its approval.

**Note.** This compilation was prepared by the Puerto Rico OMB staff who have striven to ensure it is complete and accurate. However, this is not an official compilation and may not be completely free of error. It contains all amendments incorporated for reading purposes only. For accuracy and exactitude please refer to the act original text. Compiled by the Office of Management and Budget Library.