



Governing Board
University of Puerto Rico

Certification No. 61
2022-2023

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

The Governing Board, at its regular meeting on November 17th, 2022, having considered the recommendation of its Appeals, Law and Regulations Committee, agreed to:

Publish a compiled edition of the *General Student Regulations of the University of Puerto Rico*, Certification No. 13 (2009-2010), filed under number 7733 at the Puerto Rico Department of State, which includes all of its amendments, approved up to March 16th, 2017, and registered at the Department of State under the numbers 7964, 8040, and 8933.

AND FOR THE RECORD, I issue this Certification, in San Juan, Puerto Rico, today November 17th, 2022.




Margarita E. Villamil Torres
Secretary

GENERAL STUDENT REGULATIONS of the University of Puerto Rico

Compiled Edition

*to include the most recent amendment
Certification No. 70 (2016-2017)
effective March 16, 2017*

- ✚ Certification No. 13 (2009-2010)
PR Dep't of State Regulation No. 7733
- ✚ Certification No. 60 (2010-2011)
Amendment - Sections 3 & 5 - Secret Electronic
Ballot and other provisions, PR Dep't of State
Regulation No. 7964
- ✚ Certification No. 154 (2010-2011)
Amendment - Section 4.9 - Student
Representation, PR Dep't of State
Regulation No. 8040 DE
- ✚ Certification No. 70 (2016-2017)
Amendment - Chap. VI Disciplinary Rules
and Procedures, PR Dep't of State
Regulation No. 8933



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GENERAL STUDENT REGULATIONS OF THE UNIVERSITY OF PUERTO RICO CHAPTER I - STATEMENT OF PURPOSE AND APPLICATION

Preamble

The purpose of these Regulations is to set forth the rights and duties of students as members of the academic community, to establish the necessary structures for the most effective participation of students in university life, and to institute the rules that best enable the daily coexistence of students among themselves and with other members of the community.

The University of Puerto Rico Act and the traditions of this institution recognize the rights of students as members of the university community and lay down the legal, moral, and intellectual responsibilities to which they are bound as members of this community.

A university requires that the attendant conditions of coexistence be present for the full formation of the student as a free human being and for the development of a culture of service to the university community and to the Puerto Rican community. Therefore, a climate of freedom and tolerance, respect for the individual, willing commitment, and participation in the responsibilities of this community is of the essence.

This University is proud to have students who are seriously concerned with the problems that affect the institution, as well as those affecting our community and society in general. The fact that students or groups of students sometimes feel morally compelled to publicly proclaim their views is a source of satisfaction and motivation.

On the other hand, the academic university community cannot and should not tolerate conduct that, under the pretext of free speech, infringes on the civil rights of other individuals or groups or constitutes a material disturbance of public order, the regular tasks of the units, or the holding of legitimate acts or functions. The right to dissent entails a special awareness of the rights of others and the acknowledgment that others are also entitled to dissent.

Section 1.1 - Title

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

Section 1.2 - Legal Basis

The legal basis for these Regulations is Section 10(B) of Law No. 1 of January 20, 1966, as amended, known as the University of Puerto Rico Act.

Section 1.3 - Scope and Application

These Regulations shall apply in all institutional units of the University of Puerto Rico, as well as in all other branches, premises, and facilities that are owned or in the possession and control of the institution, or any other site that is considered an extension of the classroom, or where any manner of event or activity is held, either official or sponsored by the institution or in which the University participates.

The scope of these Regulations shall extend to all administrative practices, academic and financial aid programs, as well as to the processes of student admission, transfer, recruitment,

promotion, and employment.

CHAPTER II - RIGHTS AND DUTIES OF STUDENTS

PART A - INTRODUCTION

Section 2.1 - Institutional Policy

The fundamental right of the university student in the academic community is the right to be educated. This right is not limited to the classroom, but rather encompasses the full range of possible experiences and relationships with their peers, faculty, non-teaching staff, and their fellow citizens in the community at large. A student's primary duty is to exercise this right to the fullest extent possible and to conduct themselves in such a way that such conduct does not limit the exercise of the rights of other members of the community or the performance of their duties.

In order to enable the elevated aims of education, students shall cultivate the principles of integrity, mutual respect, and peaceful dialogue in their relations with other members of the university community. The University commits to these principles and, in consideration thereof, all members of the university community must obey them and adopt them as their own. The University of Puerto Rico shall also guarantee the offering of student advocacy services in the units of the University system, in accordance with the regulations adopted to such ends.

Section 2.2 - Construction

These Regulations shall be construed in such a way as to foster an institutional culture of respect for the rights recognized by our legal system and these Regulations.

Section 2.3 - Prohibition of Discrimination

The University of Puerto Rico prohibits any and all discrimination in education, employment, and rendering of services on account of race, color, sex, birth, age, national origin or status, ancestry, marital status, religious or political ideas or beliefs, gender, sexual preference, nationality, ethnic origin, disability, veteran status in the Armed Forces, or being a victim or perceived victim of domestic violence, sexual assault, or stalking. This antidiscrimination policy extends to all functions and activities of the University and its institutional units, such as employment and job selection, educational programs, services, admissions, and financial aid, among others.

This antidiscrimination policy necessarily extends to all students in their relationship with the University and will apply to the benefits, services, programs, and offerings it provides. The right of all students to the orderly participation in activities conducted by the University shall be guaranteed, as well as reasonable accommodation for all students with documented disabilities or conditions that of themselves do not constitute a disability to undertake university studies or pose a risk to others.

Section 2.4 - Policies Against Sexual Harassment and the Illicit Use of Drugs and Controlled Substances and Alcohol Abuse

All components of the university community must conduct themselves appropriately and with respect towards others. In accordance with this principle and with the applicable laws and policies, physical, verbal or psychological abuse or sexual harassment by any member of the university community or by the external community will not be tolerated in this institution.

Likewise, it is the policy of the University to promote an environment free from the illicit use of drugs and controlled substances and alcohol abuse.

This will be achieved through education and strict and vehement compliance with the law, regulations, policies, and procedures adopted by the University for each case.

Section 2.5 - Student Records

Student academic and disciplinary records will be kept separate. Information pertaining to disciplinary records will not be available for use by unauthorized persons within or without the University without the student's consent, except as required by law or court order. Students are entitled to obtain copies of their academic and disciplinary records and must be informed of any changes in the substantive content thereof, in accordance with the procedures established in the rules and regulations of the University. University authorities shall not gather student records for purposes other than those expressly authorized by applicable law and regulation and may never do so in detriment of the student's civil rights or the rights recognized in these Regulations. These standards are without prejudice to any federal or state laws and regulations that protect the information contained in student records.

PART B - ACADEMIC ASPECTS

Section 2.6 - Academic Relationship

The work of the discipline or area of knowledge under study and its multiple connections is the main focus of the relationship between faculty and students. The highest intellectual integrity must govern the pursuit of knowledge. The professor-student relationship is based on mutual respect. Both will encourage creative dialogue and freedom of discussion and expression. As courses take place, students will have the opportunity and the right to present reasoned objections to the data or opinions submitted by one or the other. Both may examine any aspect of the discipline or area of knowledge in accordance with the standards of intellectual responsibility that apply to academia. Neither one nor the other will use the classroom as a platform to preach doctrines foreign to the teaching subjects, be they political, sectarian, religious, or otherwise. The right to freedom of discussion and expression does not release students or faculty members from their duty to comply with the course requirements and the academic offerings as approved by the official bodies of the University.

Section 2.7 - Guarantees on Personal Beliefs

The nature of the relationship between faculty and students deserves mutual respect, as well as the respect of the administration. Students are entitled to express their personal beliefs in the classroom within the context and framework of academic discussion, and they will not be taken into account in any type of proceedings against the student, whether administrative or otherwise, nor in the assessment of their academic performance. Information obtained by a faculty member in the course of their work concerning a student's beliefs, views, ideology, or political affiliations shall be considered confidential and may be used only in accordance with university policy. When in doubt as to the nature of the student's conduct involving the expression of personal beliefs in the academic context, institutional policy will favor the student's right to free speech.

Section 2.8 - Academic Guidance Outside the Classroom

The student-professor relationship outside the classroom is part of the educational process. Students are entitled to receive due attention and supervision from the professor in charge of directing research projects, independent studies, theses, or dissertations. In addition, students are entitled to meet with the professor at specially designated times to seek guidance or clarify any aspect of their academic work.

Section 2.9 - Classroom Discipline

Primary jurisdiction over classroom discipline and over student conduct related to academic work, such as participation in daily assignments, preparation of papers, labs, exams, interviews, grades, and other similar activities, rests with the professor, notwithstanding the professor's duty to report a student's conduct to the dean, department chair, or other university authorities who are responsible for determining whether to commence disciplinary proceedings under Chapter VI of these Regulations. See also, Section 6.14 of these Regulations.

Section 2.10 - Course Syllabus

Students are entitled to receive from their professor, no later than the first week of the course, a document in hard copy or electronic format, describing how the coursework plan will be fulfilled. This document must be discussed in class by the professor and represents the agreement and commitment that the professor enters into with the students. The University encourages students to express their opinions on the course topics, methodologies, and evaluation criteria, and the professor will give students reasonable opportunity to propose changes to the document.

The course syllabus will include at least the following elements:

1. Course description and academic objectives.
2. Methodology and strategies to be used.
3. Calendar of course activities.
4. The essential requisites for passing the course, including, but not limited to, evaluation tools and criteria, rules on attendance, tardiness, makeup exams, and course participation.
5. The professor's office hours, as well as the location of the professor's office. The professor may provide information on other means through which the student may contact the professor outside the classroom.
6. Notice to all students that acts of academic dishonesty will result in disciplinary sanctions.
7. Notices required by institutional policy regarding reasonable accommodations for students with disabilities.
8. Any other information required by the pertinent academic authorities.

Where the course syllabus is delivered in electronic format and the student does not have access to the means to print it, the student is entitled to request a hard copy at the pertinent department.

Section 2.11 - Student Evaluation

Students are entitled to have their academic work evaluated in fairly and objectively and to be graded based only on considerations related to the evaluation of their academic work. Such evaluation shall be accessible to the student within a reasonable time to be established by the institutional unit.

Section 2.12 - Evaluation Review

Students may request that the professor review their evaluation when they believe that it does not meet the established or agreed upon criteria. To such ends, the established or customary grade review procedure for each unit will be followed. The first review shall be done by the professor in charge of the course. The professor must retain the work completed by the student during a course for six (6) months after the student's final grade is submitted. Each Academic Senate shall establish the procedures to be followed to ensure fair and proper review.

Section 2.13 - Replacement of Material Due to Professor's Absence

Students are entitled to have the professor make up the time to cover material of any course session in which the professor was absent.

Section 2.14 - Recognition for Academic Work and Authorship

Students are entitled to be consulted and to have their contribution or authorship properly acknowledged when the professor, researcher, or faculty member intends to use their work product in any publication, research, lecture, or any other form of dissemination of knowledge.

PART C – STUDENT RIGHTS OF EXPRESSION, ACTIVITIES AND ASSOCIATIONS

Section 2.15 - Rights of Expression; Student Activities

- A. Student are entitled to express themselves, associate and assemble freely, formulate petitions, and carry out activities as any other person in Puerto Rico and subject to the provisions of applicable law and university regulations.
- B. Students are entitled to sponsor and carry out extracurricular and co-curricular activities at the University freely and responsibly. For such purposes, they may use university facilities in accordance with current regulations, provided that such use does not conflict with other legitimate activities and does not disrupt the operation of the institution or violate the rules established to protect the institutional order, safety and security, and regular and continued operation of university tasks and complies with the standards of respect expected at the university level.
- C. Pickets, marches, rallies, and other forms of expression within the university campus are protected, insofar as it constitutes a legitimate means of expression in accordance with the rights of assembly and association and the free expression of ideas recognized in Puerto Rico, subject to the provisions of these Regulations.

Section 2.16 - Administrative Support for Student Activities

To facilitate the exercise of the right of association and assembly, each institutional unit or college shall establish a weekly period of at least one and a half hours during which no classes, labs, or exams shall be offered. The foregoing does not preclude students from holding events or meetings at other times subject to the established rules. In addition, each institutional unit shall provide the necessary time in its academic calendar for general assemblies for student government nominations.

Section 2.17 - Prior Authorization for Use of University Facilities

The use of university classrooms, lecture halls, auditoriums, structures, and buildings for the holding of any act, meeting, or ceremony shall require the prior authorization of the chancellor or the persons designated by the chancellor. The sole purpose of this requirement is to make arrangements for the orderly use of university facilities and to ensure the availability, suitability, and judiciousness in the use of the same for the type of event to be held.

Section 2.18 - Conduct During Activities

Students are entitled to carry out their extracurricular and co-curricular activities within the University freely and responsibly. In order to balance the exercise of this right with the special demands of institutional order and the due respect for the rights of other members of the university community, participants in extracurricular and co-curricular activities, such as the holding of festivals, pickets, marches, rallies, and other activities with massive turnout, shall abide by the with the rules of peaceful coexistence set forth in these Regulations.

Consistent with the above, the student's conduct during the activity shall be observant of the following:

1. The regular operations of the University or the holding of duly authorized events or functions that take place in university facilities or at any other place that fall within the scope of these Regulations as provided in Section 1.3 shall not be interrupted, hindered, or disturbed.
2. Students shall not coerce others or resort to or incite violence of any kind, whether against persons or property.
3. Obscene, indecent, or lewd language shall not be used.
4. University or private property shall not be damaged, nor shall others be incited to do so.
5. At no time shall free access to, or entry or exit of persons or vehicles to and from university facilities, buildings, or rooms dedicated to study or learning shall be impeded or obstructed.
6. The use of loudspeakers or any means to amplify sound, aside from those required in classrooms or lecture halls, shall be done in such a way as to not disrupt the regular work of the University or constitute a violation of these Regulations.
7. No picketing or marching may take place inside any university building. Picketing and marching shall be conducted in such a manner as to not constitute a violation of these Regulations. Each institutional unit shall determine the minimum reasonable distance

from the nearest classroom, administrative office, or other place where official or authorized activities are taking place, within which picketing, marches, rallies, or demonstrations may not take place, whether spontaneous or previously notified. Each unit shall identify the areas that comply with the minimum reasonable distance as provided herein.

8. Sponsors of student activities shall take appropriate measures in coordination with university authorities to help maintain order and safety during student activities. In addition, as part of this responsibility, sponsors are required to notify attendees and guests of the rules of conduct.

Section 2.19 - Authority to Prohibit Activities in Dangerous Situations

In the event of clear and imminent risk of interruption, hindrance, or substantial and material disruption of the regular work of the University or the holding of legitimate university activities or functions taking place in university facilities, the chancellor may, in a written and grounded resolution, prohibit the holding of such activities in the institutional unit under their charge. The president of the University has the same right in relation to the entire institution or any of its constituent units. When exercising this authority, the prohibition may not be exceed thirty (30) calendar days, unless the Governing Board authorizes an extension for a longer period by way of a resolution, setting forth the grounds therefor.

Section 2.20 - Publications

Students are entitled to edit and publish newspapers, magazines, flyers, and other student publications and to distribute them freely on university premises.

The following minimum standards for publication and distribution are established:

1. Publications may be distributed in rooms dedicated to study or learning, provided the teaching-learning process is not interrupted.
2. There shall be no censorship of the content of student publications. Both their authors and their distributors shall be responsible for the content, the means of dissemination, and the consequences of its dissemination.

Section 2.21 - Student Organizations

Student organizations are indispensable for the development of an active and vigorous student life. Therefore, the University will encourage their existence and will take measures to enable their recognition.

Section 2.22 - Recognition of Student Organizations

The chancellors of each institutional unit shall designate a body to facilitate the recognition of student organizations. Students will have participation herein through representatives elected in the unit's General Student Council. Until this body is constituted, the recognition of organizations, as well as the duties of this body, will fall to the dean of students.

Section 2.23 - Creation and Recognition of Organizations

Any group of students of the University of Puerto Rico may form a student organization

and request official recognition from the body or official designated for that purpose. The body or officer designated to make such recognitions shall evaluate any student organization that so requests it in accordance with the requirements provided in the laws and regulations of the University of Puerto Rico and the criteria that may be established for such purposes. Any decision regarding the recognition of student organizations shall be notified to its president or individuals in charge within the term provided in the internal rules of each institutional unit. The term of recognition shall also be provided therein. The decisions issued by the accrediting body or officer may be appealed to the chancellors of the corresponding institutional unit.

Section 2.24 - Use of Facilities by Recognized Student Organizations

Recognized student organizations shall be entitled to the use of institutional facilities pursuant to the rules and regulations. They shall be responsible for the actions of participants in events they organize, notwithstanding any individual liability that participants may incur.

Section 2.25 - Participation in Student Organizations

All university students are entitled to join any recognized student organization, provided the student meets the admission requirements established by the internal rules of the organization. Any student who considers that their right to join a student organization has been infringed may file a complaint with the body or officer in their institutional unit designated to recognize such organizations. Such body or officer will examine the complaint and take the appropriate measures.

Recognized student organizations that select their members based on certain beliefs may not discriminate against students who wish to join or participate in such organization on account of race, color, sex, birth, age, national origin or status, ancestry, marital status, religious or political ideas or beliefs, gender, sexual preference, nationality, ethnic origin, disability, veteran status in the Armed Forces, or being a victim or perceived victim of domestic violence, sexual assault, or stalking, provided that, as a condition of membership, the student agrees to commit to the principles or beliefs of the organization and to support its objectives.

No student organization shall be recognized if:

1. It requires a favorable vote of more than two-thirds ($\frac{2}{3}$) of its membership to admit a member.
2. It practices acts of initiation that violate the dignity of students or endanger their physical or mental integrity.

Likewise, the body or officer designated to recognize student organizations is authorized to suspend the recognition of student organizations for a period not exceeding one (1) year or revoke the recognition of any organization acting in contravention of the established rules.

PART D - STUDENT REPRESENTATION AND PARTICIPATION

Section 2.26 - Claims of Rights Through Student Representation

Student government organizations and representative bodies recognized under these Regulations may claim rights for themselves and on behalf of those they represent, independently of those that may be claimed by individual students. The rights of such bodies include, among others, the right to evaluate the services offered by the institution, formulate recommendations, and participate in the decision-making process for the improvement of the university curriculum.

Section 2.27 - Participation in University Bodies

The University will respect and encourage the active and responsible participation of students in all university governing bodies in which they are represented, as part of their integral formation, in harmony with the social and academic mission of the University of Puerto Rico.

Section 2.28 - Participation in University Activities

Students are entitled to participate in the cultural, scientific, and sports programs and activities of the institution as part of their university experience and integral formation, provided they comply with the requirements established for such purposes.

Section 2.29 - Participation in Election Processes

Students have absolute freedom to participate in the election processes for the selection of their representatives to the student councils, to ensure that their representatives discharge their duties according to the aims and purposes of student representation, and to actively participate in the activities organized by their representatives in order to achieve the best student representation.

Section 2.30 - University Representation

Students must represent the University with dignity in all academic, scientific, artistic, and sports events in which they participate.

Section 2.31 - Dissemination of Information

Students are entitled to receive information on a regular basis on matters affecting their experiences at the University.

PART E - ACCESS TO SERVICES AND ENJOYMENT OF UNIVERSITY FACILITIES

Section 2.32 - University Services

Students, as an integral part of their university experience, are entitled to access quality and excellent services at pertinent and appropriate times, including, among others, enrollment processes, counseling and orientation services, financial assistance, the use and availability of library resources, labs, computer centers, sports and recreational centers, and other similar services provided by the University. In addition, students must comply with the rules established for the use or enjoyment of the services.

Section 2.33 - Physical Facilities

Students are entitled to use university property responsibly, as well as the duty to protect and take care of it. Likewise, students are entitled to the use of facilities that meet the health and safety and security standards.

Section 2.34 - Student Residences

The dean of students of the institutional units with residence halls shall facilitate the

participation of the students residing therein in order to survey their needs and interests, according to the rules of each institutional unit.

Section 2.35 - Course Schedules

Students are entitled to the availability of course schedules programmed in such a manner as to allow them to follow the sequence established in the degree program without conflicts in the course requirements and in a manner that facilitates the completion of the degree in the number of years established for the program.

PART F - VIOLATIONS

Section 2.36 - Infringements of the Rules Regarding the Rights and Duties of Students

Students who believe that any of their rights have been abridged or infringed may file a complaint or grievance before the competent authority within their institutional unit. In the process of filing the same, they may have the assistance and advice of the student advocate. Each unit shall establish the terms for filing the complaint and for answering and resolving the same.

CHAPTER III - STRUCTURES FOR STUDENT PARTICIPATION

Section 3.1 - University Policy on Recognition of Student Participation

So as to facilitate the right to participate in university governance, thus channeling the ideas and initiatives that contribute to the improvement of the University, the right of students to organize student councils as provided in these Regulations is hereby recognized. These councils shall constitute the official forums of the student body to analyze, discuss, and examine the needs and aspirations of the students and to give students effective participation in all aspects of university business, which will be guaranteed through their full, direct, free, and democratic expression. The essential mission of the student councils is to contribute to the fulfillment of the social and educational function of the University and to strive for the development and validity of the students' vested rights, guaranteeing and promoting at all times an environment conducive to academic achievement at the University.

The chancellors shall allocate necessary and reasonable resources to enable students councils to carry out the functions authorized by these Regulations, including accessible offices, equipment and funds, taking into consideration the requests of the councils.

Section 3.2 - General Student Council

A General Student Council shall be elected annually in each institutional unit pursuant to the provisions of Chapter V of these Regulations. It shall represent all the students of the unit and shall be composed of a president, the student representatives to the Administrative Board and the University Board, the elected student senators, as well as one or more additional members of the board of directors of each student council, as provided in the student regulations of the institutional unit.

These general student councils shall be the only ones recognized by the university bodies as the students' exclusive official representation, so as to channel the democratic, broad, free, and full participation of all students.

Section 3.3 - College Student Councils

In the units organized by colleges, schools, or equivalent units, College or School Councils shall be elected annually, in accordance with the provisions of Chapter V of these Regulations. These shall represent the students of such units and shall comprise the regular students of the college or school concerned, as provided in the student regulations of the unit.

Section 3.4 - Functions of the Student Councils

The General Student Council of the institutional unit and the Student Councils of the college or school shall perform their functions according to their scope and degree of representation.

A. ***In general:*** The Student Councils created under these Regulations shall have the following powers and responsibilities:

1. Officially represent the student body that has elected them in events held within and without the University.
2. Serve as a forum for the student body to discuss and clarify problems that concern students, the university community, and the community at large.
3. Present to the corresponding authorities their opinions and recommendations regarding the situations affecting their constituencies and the sound operation of the University.
4. Carry out and sponsor cultural, social, recreational, scientific, academic, educational, and counseling activities, among others, that complement university education.
5. Draft their internal regulations in accordance with the General Student Regulations and the student regulations of the unit. The dean of students of the unit shall ensure and certify that the council's bylaws are consistent with the student regulations of the unit and with these Regulations.
6. Participate, as provided, in the processes the University may establish for the creation and amendment of student, academic, and institutional regulations and policies; in particular, in the formulation of amendments to these Regulations, the General Regulations of the University of Puerto Rico, and the rules and regulations of its institutional unit.
7. Participate in the selection and evaluation process of the student advocate, in accordance with the measures established for such purposes by the chancellor of each institutional unit.
8. Call its representatives to student assemblies and promote their participation therein, as well as in the election and student consultation processes, guaranteeing and promoting at all times the full, direct, free, and democratic participation and expression of all students with the right to vote.
9. Meet with the chancellor, dean of students, or department chair, as appropriate, at least twice per semester.
10. Elect the members of its board of directors from among its own members, unless the

student regulations of the institutional unit provide for the direct election of the same or of any of its members, in accordance with the provisions of Chapter V of these Regulations.

11. Create committees or bodies and provide for their organization pursuant to their internal rules.

B. *The General Student Council, in particular:* In the case of the General Student Council, it shall also have the following powers and responsibilities:

1. Propose to the Academic Senate, chancellor, and other university forum, the formulation of institutional rules or policies on any matter they deem pertinent and receive an official response.
2. Make recommendations to the University Board, the president, and the Governing Board on proposals arising from the academic senates, administrative boards, or similar bodies.
3. Receive, as they are approved, copies of all certifications and regulatory documents issued by the bodies and officers mentioned in the preceding paragraph in the manner accustomed.
4. Consult with the other general student councils on decisions that have an impact on the University as a system, through procedures and structures that facilitate such consultations.

Section 3.5 - Internal Operation

The student councils shall enjoy autonomy in the management of their internal affairs in all matters not regulated by or incompatible with these Regulations or the student regulations of the corresponding institutional unit. The autonomy of the councils to govern themselves and organize their internal composition, in line with the University rules and policies and in a manner that fully protects the rights and prerogatives of each of their members, is hereby recognized.

The ability of the councils to manage the funds allocated to them to exercise their powers and fulfill their responsibilities is hereby recognized. For such purposes, they may fix their budget in accordance with their internal regulations. They may also use their supplies, equipment and, facilities as stipulated in their internal rules. The foregoing does not exempt the student councils from obeying the laws, regulations, and policies of the University regarding the administration of public funds and property, including internal audit procedures.

Section 3.6 - Additional Student Representation Structures

The student regulations of each unit may provide for other structures of student representation in academic departments and program, such as evening, Saturday, and graduate programs, in a manner consistent with University regulations. Such structures may include student committees to advise officers and bodies in charge of student services and assistance, such as cultural activities, scholarships and loans, cafeteria, bookstore, residence hall, and library. The number, composition, powers, and selection process of student representation in such structures and committees shall be provided in the student regulations. The purpose of this student representation shall be to advise and offer recommendations on student interests, problems, and programs to the administrative authorities and faculty concerned.

CHAPTER IV - STUDENT PARTICIPATION IN INSTITUTIONAL GOVERNANCE

PART A - INTRODUCTION

Section 4.1 - Student Participation Policy

Section 10 of the University of Puerto Rico Act extends to students the right to participate effectively in academic community life, including all the duties of moral and intellectual responsibility this entails. These Regulations grant student participation in university organizations and units with the right to voice and vote as provided below.

By virtue of the above, the University of Puerto Rico recognizes the importance of student participation in institutional governance. The work of student representatives in the various instances of its governance contributes positively to institutional decisions and constitutes an excellent formative opportunity for students.

PART B - DEGREES OF PARTICIPATION

Section 4.2 - Academic Units

Student body representation in academic departments in no case shall be less than two (2) student representatives. This number may be increased by the college to which that department is attached, but in no case shall exceed ten percent (10%) of the number of faculty members in that department. Student representatives to the college shall be elected from among these student representatives, as provided in Section 4.3.

Section 4.3 - Powers

- A. Student body representation in the colleges shall comprise the student representatives of the departments, but in no case the total number of such representatives shall exceed ten percent (10%) of the number of faculty members of that college. The president of the student council of that college shall be an *ex officio* member of the student body representation of the college in addition to the maximum limit provided.
- B. In the case of colleges and schools that do not have departments, student body participation shall comprise two (2) student representatives. This number may be increased by the college or school, but in no case shall exceed ten percent (10%) of the number of faculty members belonging to the college or school. The president of the student council of the college or school shall be an *ex officio* member of the student body representation of the college or school in addition to the maximum limit provided.

Section 4.4 - Academic Senates

Student body representation on the Academic Senate of each institutional unit shall be as provided by the Governing Board by certification to that effect.

The president of the General Student Council of the unit and the student representatives to the University Board and the Administrative Board of that unit shall be *ex officio* members of the academic senates.

Section 4.5 - Administrative Boards

Student body representation in the administrative boards of the units will comprise one (1) student representative and one (1) alternate representative. The representative and the alternate shall be elected following the method established therefor in the student regulations of the unit for a term of one (1) year or until a successor is elected and certified. The president of the General Student Council of the unit or the presidents of the student council of the college or school may not represent the student body in the administrative boards.

Section 4.6 - University Board

Student body representation in the University Board will comprise one (1) student representative and one (1) alternate representative for each institutional unit. The representative and the alternate shall be elected following the method established therefor in the student regulations of the unit for a term of one (1) year or until a successor is elected and certified. The president of the General Student Council of the unit, the presidents of the student council of the college or school, or any elected student senator may not represent the student body in the University Board.

Section 4.7 - Governing Board [formerly Board of Trustees]

Student body representation in the Governing Board shall comprise one (1) regular student in their second year or higher who is at least eighteen (18) years of age, elected pursuant to the University of Puerto Rico Act, Law No. 1 of January 20, 1966, as amended. Upon the approval of these Regulations, insofar as is pertinent, the University of Puerto Rico Act provides that the students currently representing the student body on the University Board shall elect among themselves, respectively, and through secret ballot, the student who will serve on the Governing Board. The Office of the Secretary of the University Board shall conduct the election pursuant to university practices and customs and shall certify to the Governing Board the person who has been elected. On assuming their functions as members of the Governing Board, the student shall no longer serve as representative on the University Board and their office shall be covered by the appropriate institutional unit, as provided by law or regulation. The student body representative duly certified by the secretary of the University Board shall serve on the Governing Board for a term of one (1) year and shall cease to hold office as members of the Governing Board should they become disengaged from the institution during said period.

PART C - ON STUDENT REPRESENTATIVES

Section 4.8 - Ethical Rights and Duties of Student Representatives

The University shall officially recognize the elected student body representatives and offer them the necessary support so they might best perform their official duties. Student representatives shall not be discriminated based on the position they hold, nor shall they be subject to disciplinary actions as a result of the performance of their duties as representatives. Notwithstanding, the foregoing shall not be construed as granting privileges to student representatives concerning the fulfillment of their duties and obligations as university students.

Student representatives will have priority in course enrollments so they may organize their academic programs in harmony with their official functions, pursuant to the procedure determined by the chancellor of the unit.

Student representatives may not use information acquired in the performance of their duties to obtain benefits for themselves or for members of their family unit. They shall also refrain from participating in deliberations of the bodies in which they are members concerning any matter in which they intervened as a member of another university body or where the representative or a member of their family unit is directly involved.

Section 4.9 - Term of Representation and Effectiveness

The presidents and student representatives of the general student councils of the units of the University of Puerto Rico shall be elected for a term of one (1) year, beginning on July 1 of the year of election through June 30 of the following year. In the event that no president or representative is elected by the beginning of the term, those who held office and still qualify therefor shall remain in office until their successor is elected and certified.

A student representative shall cease to hold office if during their term they: (a) receive a disciplinary sanction of suspension or expulsion or (b) fail to satisfy any of the requirements provided in Section 5.2 of these Regulations to be an eligible candidate for elective student representation positions.

CHAPTER V - STUDENT ELECTION PROCEDURES PART A - ON ELECTIONS

Section 5.1 - Election of Student Representatives

The procedures and methods to elect student representatives that are not included or incompatible with these Regulations shall be established in the student regulations of each institutional unit and shall ensure the full protection of the rights of students, candidates, and elected representatives to participate therein.

All students who are eligible to participate are entitled to nominate and freely elect their representatives by individual electronic secret ballot and in accordance with the provisions of these Regulations and the student regulations of their unit.

In providing for the method of election of all or any of the following positions in its unit: president of the General Student Council, academic senators, representatives to the Administrative Board or representative to the University Board, each institutional unit may choose between the following methods: 1) free, secret and direct election by the eligible students of the unit, or 2) appointment by the unit's General Council.

Section 5.2 - Eligibility Criteria for Candidates for Elective Office

- A. The following eligibility requirements are established for students who are candidates for elective student representation positions before institutional governing bodies, including task force committees:
1. Be a regular student in a degree-granting program according to their classification. For purposes of this chapter, regular day-program students are those who enroll in and maintain a minimum of twelve (12) credits per semester, or a minimum of eight (8) credits in the case of graduate students, or who are enrolled in the required thesis or final project course to obtain the degree; and in the case of units with extension- or evening-program student councils, the minimum requirement shall be six (6) credits

per student per semester.

2. Not be under a disciplinary sanction.
 3. Have a GPA of 2.50 or higher.
 4. Not be on probation for academic deficiency. No student repeating the academic year due to academic deficiency may hold any position on the board of the student council of the college or campus during that year.
 5. Not be a member of the faculty, non-teaching or classified staff, regardless of the number of credits in which have enrolled.
- B. The dean of students shall certify candidates who meet the eligibility criteria set forth herein and shall decide any dispute regarding eligibility at first instance.

Section 5.3 - Nominations

- A. The dean of students, or the person delegated, shall convene and preside over the nomination assemblies in collaboration with the president of the General Student Council.
- B. Ten percent (10%) of the total number of students eligible to participate in the nomination assembly shall constitute quorum. When quorum is not met at the first meeting, the dean of students shall call a second nomination assembly where those in attendance shall constitute quorum.
- C. To be nominated, the student must be present and accept the nomination, or express in writing their willingness to be nominated if the student is unable to attend.
- D. No student may be nominated for more than one position.
- E. During nomination assemblies, students shall be excused from all other commitments in their unit so they may attend the assembly.
- F. The dean of students shall verify that the students nominated meet the eligibility requirements provided in these Regulations before certifying their candidacy and authorizing their inclusion on the ballot.

Section 5.4 - Elections

- A. Elections of student representatives shall be held between April 1 and 30 of each year. Each unit will determine when student elections will be held so as to comply with the required dates.
- B. The student regulations of each institutional unit shall set forth the rules governing the election of the student councils, including the required quorum, which shall never be less than twenty-five percent (25%) of the total number of students eligible to vote in the elections, the period within which calls for assemblies may be issued, the duration of the election period, and any other matter that is necessary to properly hold such elections. Effective participation of the General Student Council in this process shall be guaranteed. The rules that may be approved to regulate the student council election processes shall be consistent with the provisions of these Regulations.
- C. The Office of the Dean of Students shall oversee elections in which students participate.

Such elections will be carried out through the corresponding electronic process, which must guarantee the reliability and secrecy of the vote.

- D. All students enrolled in the institutional unit who are not suspended or otherwise separated for disciplinary reasons shall be eligible to vote in student elections.
- E. The students elected to each office shall be those who obtain the highest number of votes for such office. The dean of students shall certify the results of the election and decide any dispute as to the winner.
- F. The dean of students shall decide any dispute regarding the process or the results of the election in accordance with the procedures set forth in the regulations of the unit.
- G. The dean of students shall be responsible for certifying the students elected.

PART B - ON CONSULTATIONS

Section 5.5 - Consultation by Electronic Means

- A. University authorities may only recognize the determinations, decisions, agreements, or similar expressions issued by the student council of the colleges and the General Student Council of the institutional units that are reached by students pursuant to these Regulations.
- B. The determinations, decisions, agreements, or similar expressions of the student council of the colleges and the General Student Council of the institutional units obeying to consultations that are issued as a result of a validly constituted assembly that may directly or indirectly affect students shall be subject to the processes provided herein. The regular or routine internal determinations, decisions, and agreements of the student councils are excluded therefrom.
- C. Consultations shall be carried out through the corresponding electronic process, which shall guarantee the reliability and secrecy of the vote. The president of the University shall approve the general rules and guidelines for such processes, in accordance with the provisions of these Regulations.
- D. Such consultations shall be made only through the individual electronic vote of each student enrolled in the college or institutional unit, as the case may be, who is not suspended or otherwise separated for disciplinary reasons.
- E. Voting will be made through the website developed by the corresponding institutional unit for such purposes.
- F. Each student may access this website from any personal computer using their username and password.
- G. The consultation request shall be submitted to the dean of students by the president of the student council of the college, in the case of college-level decisions, or by the president of the General Student Council, in the case of unit-level decisions.
- H. The request must be submitted at least seven (7) working days prior to the date on which the consultation is to begin. The request shall include the text of the question to be put to the students, which shall be duly certified by the president and secretary of the student council of the college or the General Student Council of the institutional unit, as applicable.

The dean of students shall proceed to execute the request within a term that shall not to exceed three (3) working days.

- I. All consultations will be announced individually to all students of the college or institutional unit, as applicable, through the institutional email address assigned to each student. A daily announcement will be made starting three (3) days before the consultation begins through the last day of the consultation. Such announcement shall indicate the date and time when the consultation shall close. Each institutional unit will take all necessary steps to promote broad student participation.
- J. The voting period shall never be less than three (3) days or more than eight (8) working days as of the date of the final notice to the students as provided in subsection I.
- K. During the consultation period, the institutional unit where the consultation takes place will have technical assistance available for all participating students, considering the available resources at the unit, so as to ensure student participation.
- L. Quorum required for consultation shall be twenty-five (25%) percent of the total number of students in the college or institutional unit, as applicable, who are eligible to vote.
- M. The dean of students of the corresponding unit shall certify the committee of observers selected by the student councils from among their own members to participate in the process.
- N. The alternative that obtains a majority of the votes shall prevail. The term “majority” shall mean half plus one of the students participating in the consultation. In the event that the consultation involves a choice between two or more alternatives, the alternative that obtains the highest number of registered votes shall be recognized as the official expression.
- O. Any determination, decision, agreement, or similar expression reached by the students in violation of these Regulations shall be null and void.
- P. The dean of students shall decide any dispute regarding the process or the results of the consultation at first instance.
- Q. Once the consultation closes, the dean of students or the dean of the college or autonomous school shall certify, together with the student council president, the result of the consultation and shall announce it to the University community within three (3) working days.

CHAPTER VI - DISCIPLINARY RULES AND PROCEDURES

PART A - INTRODUCTION

Section 6.1 - Purposes of the Disciplinary Process

The disciplinary process of the institution, regarding the conduct of students, seeks to:

1. Promote order, the best institutional and intellectual environment, honesty, integrity, and safeguard the life, health, and property of the institution and of the members of the university community.

2. Orient and educate the student on the consequences of their actions.
3. Orient and educate the student on their responsibility to the community.
4. Offer students the opportunity to modify their conduct so they may adequately participate in university community life.

PART B - ON CONDUCT SUBJECT TO SANCTIONS AND DISCIPLINARY ACTIONS

Section 6.2 - Student Conduct Subject to Disciplinary Sanctions

The following shall be subject to disciplinary sanctions:

1. ***Academic Dishonesty:*** All forms of academic dishonesty or lack of integrity, including, but not limited to, fraudulent actions, obtaining grades or academic degrees by availing oneself of false or fraudulent means, copying all or part of another's academic work, copying all or part of another's answers to questions on an examination, taking or having another take any oral or written test or examination on behalf of another, and aiding or facilitating another person to engage in such conduct.
2. ***Fraudulent Conduct:*** Conduct with intent to defraud, including, but not limited to, malicious alteration or falsification of grades, records, identification cards, or other official documents of the University or any other institution. Any act of passing or circulating as genuine and true any of the documents specified above, knowing them to be false or altered, shall also be subject to disciplinary sanction.
3. ***Damage to University Property:*** Painting, printing, mutilating, or causing damage to university property, but not limited to walls, columns, floors, ceilings, windows, doors or stairs of the buildings, statues, pedestals, trees, benches, fences, or structures of the University of Puerto Rico, by means of signs, posters, legends, notices, stains, scratches, and other markings, drawings, writings, or through any other means.

The above shall also apply regardless of the nature of the property, whether tangible or intangible, movable or immovable, including intellectual property, as well as digital spaces and media, such as social media platforms and websites.

The president, chancellor, director, or designated officer, as applicable, in consultation with the General Student Council, shall expressly identify and prepare appropriate visible surfaces or areas to be used by any student for expression and to post notices on any matter, which shall be subject to the rules provided herein.
4. ***Improper Use of University Property:*** The use of property or facilities belonging to the University of Puerto Rico for purposes other than their intended use or purpose, as established by university authorities, that could result in damage to such property or facilities or to any person, including the user.
5. ***Obstruction of Work and Activities:*** The obstruction of regular tasks, such as teaching, research and administration, or the holding of official activities taking place on or off university facilities, including student assemblies.
6. ***Obstruction of Free Access to Facilities:*** The partial or total obstruction of free entry and exit of persons to and from university facilities and classrooms or buildings that are part of the same, as well as vehicular transit to, within, or from university facilities.

7. ***Conduct Against Persons:*** Conduct that threatens the life, liberty, property, dignity, health, and safety of a person, including, but not limited to, use or incitement to use force or violence against any person on university facilities with the intent to cause harm, or to impede the use of resources and services or the discharge of responsibilities, regardless of the means employed.
8. ***Commission of Crimes:*** Any act committed on university facilities or on premises leased or loaned to the University that as of the date of its commission may constitute a crime under the laws of the Commonwealth of Puerto Rico or the United States of America.
9. ***Obscenity:*** The commission of any obscene, lewd or lascivious act at the University.
10. ***Violations of Rules and Regulations:*** Violations of these Regulations or other rules adopted by university authorities, including, but not limited to, policies regarding sexual harassment, illegal use of drugs or controlled substances, use of information technology, and other such policies.
11. ***Felony Conviction:*** Being convicted of a misdemeanor involving moral turpitude or a felony under the laws of the Commonwealth of Puerto Rico or the United States of America.
12. ***Failure to Comply with Sanctions:*** Failure to comply with sanctions imposed for violation of these Regulations.

Failure by a student to comply with their duties and responsibilities will be sanctioned in accordance with the disciplinary procedure established herein.

Section 6.3 - Commission and Participation

Any student who directly takes part in conduct that is the object of a disciplinary proceeding or who forces, provokes, instigates, or induces another to perpetrate such conduct, including those who cooperate with acts prior, simultaneous, or subsequent to its commission, will be held liable for the violation of these Regulations.

Section 6.4 - Sanctions

A. Violations of the foregoing rules may entail the following disciplinary actions:

1. Written reprimand.
2. Probation for a fixed term during which time another violation of any rule will result in suspension or separation. Probation may entail the imposition of conditions limiting the use of facilities, resources or privileges.
3. Suspension from the University for a fixed term. Violation of the terms of the suspension will entail an increase in the term of suspension or the definitive expulsion from the University.
4. Definitive expulsion from the University.
5. Acts that constitute violations of these Regulations and cause damage to property may entail an additional sanction of compensation to the University or the affected person

- for the expenses incurred in repairing such damage.
6. Assignment of services to the university community.
 7. Any other sanction specified in the student regulations of the corresponding institutional unit, provided it is consistent with the provisions and spirit of these Regulations.
 8. At the beginning of each school year, the chancellor of each institutional unit shall publish online and through other appropriate means of communication the typical conducts that have been sanctioned during the previous school year and the disciplinary actions imposed in their unit that are final and unappealable.

Section 6.5 - Principle of Proportionality

The sanctions imposed shall be proportionate to the severity of the offense, shall promote the student's civic and ethical conduct, and shall be directed towards the welfare of the university community.

PART C - INSTITUTIONAL ORGANIZATION OF THE DISCIPLINARY PROCEEDING

Section 6.6 - General Disciplinary Proceedings

These Regulations apply to disciplinary proceedings for conduct subject to sanctions and disciplinary actions, as defined in Part B, Section 6.2 of these Regulations.

6.6.1 - Procedure in Case of Misconduct

In cases of regulatory violations that may result in the imposition of sanctions, disciplinary proceedings shall be conducted in accordance with the procedure set forth herein.

Section 6.7 - Commencement of Disciplinary Proceedings and Service of Complaint

The disciplinary proceeding provided in this chapter shall be commenced through advanced timely notice to the student against whom the complaint is filed (respondent). Such notice, which shall be signed by the chancellor or president, and a copy of the complaint shall be contemporaneously sent to the Disciplinary Board pursuant to Section 6.8.

The notice and copy of the complaint will be delivered personally to the student or sent by certified mail with return receipt requested and/or by other official means within a maximum term of fifteen (15) working days after the filing of the complaint. The notice shall include the date, the respondent's name and mailing address, the facts that constitute an offense and a list of the specific provisions of the Regulations that have allegedly been violated, the sanction(s) that may result from the disciplinary proceeding, and the time the respondent has to file an answer, which shall not exceed thirty (30) working days from the date of notice of the complaint. In addition, where the [alleged] acts have caused damage to property, the notice may contain the proposed fine to compensate the University and/or injured party or parties, as applicable.

The complaint shall contain, among other information, the charges against the respondent and the corresponding sanction(s).

Section 6.8 - Disciplinary Boards

6.8.1 - Composition and Operation

At least one Disciplinary Board shall be established in each institutional unit during the first twenty (20) working days after the first day classes begin at beginning of the academic year. Each institutional unit shall have a disciplinary board operating at all times with the following composition:

1. One university staff member from the institutional unit who shall be appointed by the chancellor.
2. Two (2) faculty members from the institutional unit who shall be selected by the Academic Senate. If any of these members are not selected during the term provided, the chancellor shall have the following five (5) working days to select such person. The member selected by the chancellor will hold such office until the Academic Senate appoints a successor.
3. Two (2) students from the unit who shall be appointed by the General Student Council of the institutional unit. If any of these students are not selected during the term provided above, the chancellor shall have the following five (5) working days to select such person from among the students of the unit. The student selected by the chancellor will hold such office until the General Student Council appoints a successor.

6.8.2 - The chair of the Disciplinary Board shall be elected from among its members.

6.8.3 - Each institutional unit may establish more than one (1) Disciplinary Board of the same composition when it deems it necessary to handle the workload or to manage other circumstances present in the unit. Each Board shall operate independently from any other boards.

6.8.4 - Furthermore, at least one disciplinary board shall be established in each institutional unit to process summary cases. It shall be called the Summary Proceeding Disciplinary Board.

This board will be established during the first twenty (20) working days after the first day classes begin at beginning of the academic year. The same shall be in operation at all times and its composition shall be as provided in this section for the regular Disciplinary Board. Each of these boards shall operate independently from any other boards.

When called upon, the Summary Proceeding Disciplinary Board must meet and act within five (5) working days from the date the precautionary measure was imposed, pursuant to the summary procedure provided herein. Should the Board fail to meet and act within said term, the chancellor may act and take the proper action, pursuant to Sections 6.23 through 6.25. The chancellor shall also appoint a hearing officer who shall render the corresponding report and recommendation to the chancellor within five (5) working days so the latter may act on the matter.

6.8.5 - The Disciplinary Board, regardless of its nature, may request and receive technical and legal advice, when it deems it necessary.

Section 6.9 - Duration of the Disciplinary Proceeding

Except in extraordinary circumstances, the disciplinary proceeding provided herein shall be decided by the president or the chancellor, as applicable, within a term that shall not exceed six (6) months from the date the complaint against the student was filed.

Section 6.10 - Hearing Officer

6.10.1 - Appointment and Qualifications

At the request of any Disciplinary Board, the chancellor or president shall appoint one or more hearing officers from a list kept by the Board. The hearing officer must be an attorney admitted to practice law in the Commonwealth of Puerto Rico and may not be an employee, officer, or contractor of the University.

6.10.2 - Judicial Function and Assistance

The hearing officer shall conduct the proceedings in the cases referred. Such officer may hold hearings, hear witnesses, receive motions and pleadings, issue orders for the appearance of parties and witnesses, and perform any other necessary functions. Should the respondent fail to comply with an order or subpoena, the University may file a motion of order in aid of jurisdiction with the competent part of the Court of First Instance so it may issue an order to compel compliance with the former and under penalty of contempt of court.

PART D - INFORMAL PROCEDURES

Section 6.11 - Nature of the Proceedings

All regular disciplinary proceedings shall be conducted as provided in Section 6.7. The proceeding shall be held before the corresponding Disciplinary Board according to the procedure established for hearings before a hearing officer. It shall require informing the student of the offense charged and providing the student the opportunity to clarify [the matter] or to defend themselves. When necessary, the board may hold hearings, request the filing of papers, and/or exercise any other powers granted to the hearing officer under Section 6.10.2.

Where the Disciplinary Board determines it cannot fulfill its duties as provided in Part D, whether in whole or in part, it shall notify the chancellor for the purposes of appointing the necessary hearing officer(s) from the aforementioned list.

Section 6.12 - Recommendation of the Disciplinary Board

The Disciplinary Board shall issue its recommendations to the chancellor or the president, as applicable, within thirty (30) calendar days from the date the case was taken under advisement unless, with the written consent of all parties or for good cause shown, the term is waived or extended. If the Disciplinary Board fails to perform its duties within the aforementioned term, it shall be deemed to have no recommendation and the proceeding shall continue before the chancellor or the president, as applicable, who may appoint a hearing officer to perform the duties of the Disciplinary Board.

Section 6.13 - Academic Dishonesty

Notwithstanding the provisions of this part and in accordance with Section 2.9 of these Regulations, cases of academic dishonesty that are limited to a single course may be dealt with directly by the professor in charge of the course. The professor, however, must report the matter to the department chair, the dean of the college, or the dean of academic affairs, as applicable, who, in turn, shall determine whether it is in order to commence a disciplinary proceeding under the provisions of these Regulations.

The chancellor and the academic senates shall be responsible for formulating a clear policy on what constitutes academic honesty in the disciplines and subjects of study taught in their unit, as well as concerning research, publications, and other activities of knowledge dissemination carried out in their unit.

Section 6.14 - Effects of Repeated Offenses

A student's repeated disciplinary offenses will be taken into consideration when evaluating the possibility of imposing more severe sanctions in both informal and formal proceedings.

PART E - REGULAR FORMAL PROCEDURE

Section 6.15 - Notice

The student will receive timely notice of the charges against them, including a list of the specific provisions of the Regulations that have allegedly been violated, and the term to file an answer. The notice shall be signed and sent by the chancellor and shall be referred to the Disciplinary Board for the pertinent proceedings before such body.

Section 6.16 - Right to Hearing

The student shall be entitled to an administrative hearing to pass on the charges against them. The purpose of the administrative hearing is to reach a fair and impartial decision concerning the alleged violation of regulatory provisions, to provide an adequate opportunity for the student to clarify [the matter] or to defend themselves, and [to make] a careful evaluation of the student's conduct. As part of the result, a ruling may be made as to whether the case is based on substantial evidence in the record, promotes the continuous compliance with institutional standards, and serves, to the extent possible, the educational purposes of the institution.

Section 6.17 - Notice of Hearing

Notice of the hearing shall be in writing and served by certified mail or personal delivery on all parties with not less than fifteen (15) days prior to the date of the hearing. It shall contain the date, time and place of the hearing, and information as to the nature and purpose thereof.

The notice shall:

1. Advise the parties that they may appear assisted by counsel, but the assistance of counsel is not required;
2. Make reference to the legal or regulatory provision that authorizes the hearing;
3. Make reference to the legal or regulatory provisions allegedly violated, and the facts

that constitute such violation;

4. Warn of the actions that may be taken if the student fails to appear for the hearing; and
5. Warn that the hearing may not be suspended unless a request is made in writing, stating the reasons that warrant such suspension. Except in emergency situations, a suspension will not be granted if not requested at least five (5) calendar days prior to the date of the hearing.

Section 6.18 - Nature of the Administrative Hearing and Procedural Guarantees

The student may attend the administrative hearing accompanied by counsel. During the administrative hearing, the appropriate methods shall be used to create and preserve a record of the proceedings, whether by recording device or by stenographer.

The student shall have an opportunity to testify, present evidence, cross-examine witnesses and examine the evidence against them. Only evidence that is admitted during the administrative hearing may be considered.

Section 6.19 - Applicable Procedural Standards

The Rules of Evidence shall not apply to administrative hearings; however, the basic principles of evidence shall be used to achieve a speedy, fair, and inexpensive resolution of the proceeding.

The Rules of Civil Procedure relating to the discovery of evidence in cases heard before the courts of the Commonwealth of Puerto Rico shall not apply to the disciplinary proceedings provided herein.

Section 6.20 - Discovery

All discovery of evidence in these proceedings, upon motion to such ends, shall be made within a term that shall not to exceed forty-five (45) calendar days after service of the complaint. It will consist of:

1. A list of the witnesses to be called during the administrative hearing provided herein.
2. A copy of any sworn statements or affidavits in the possession of the parties concerning the facts in question, even if they will not be used during the administrative hearing.
3. All documentary and material evidence shall be made available to be examined and copied, including: sworn statements or affidavits, videotapes, tape recordings, photographs, and any other material evidence. Copies will be provided at the requesting party's expense, unless the respondent is found to lack the financial means to assume the cost.

Section 6.21 - Report; Contents, Referral to the Disciplinary Board and to the Chancellor or President

The Disciplinary Board shall prepare a report with its findings of fact and conclusions of law based on the evidence presented at the hearing, as well as its recommendations. Findings of

fact shall be final and conclusive when supported by substantial evidence in the record. Where the hearing is conducted by a hearing officer, such officer shall submit a report to the Disciplinary Board.

The report shall be completed within thirty (30) calendar days from the date the administrative hearings have concluded and the case was taken under advisement unless, with the written consent of all parties or for good cause shown, the term is waived or extended. The report shall be immediately forwarded to the chancellor or president, as applicable.

Section 6.22 - Summary and Partial Orders or Judgments

If the parties deem an adjudicative hearing to be unnecessary, they may move for summary judgment, either final or partial, if the controversy is severable. The Disciplinary Board or the hearing officer shall prepare a report with their recommendation on such motion after analyzing the documents included with the motion for summary judgment and the motion in opposition. Summary orders and judgments may not be issued when: 1) there are material or essential facts in dispute; 2) there are affirmative allegations in the complaint that have been challenged; 3) there is a genuine dispute as to any material and essential fact arising from the accompanying documents themselves; and 4) it is not appropriate as a question of law.

Section 6.23 - Decision of the Chancellor or President and Notice

The chancellor or the president, as applicable, shall receive the report and render a decision. Notice of such decision shall be in writing and served on the interested parties not later than fifteen (15) working days after the case has been taken under advisement, in accordance with these Regulations or within the term established therefore unless, with the written consent of all parties or for good cause shown, this term is waived or extended. Notice shall be served by certified mail with return receipt requested or personal delivery on the respondent, the respondent's counsel, and the interested parties.

The decision shall be issued in writing and must provide the grounds for such decision. It shall also notify the availability of the remedy of reconsideration or appeal, as the case may be, and shall indicate the corresponding terms therefor and the date on which the decision was issued and sent.

PART F - SUMMARY PROCEDURE

Section 6.24 - Summary Suspension

The president or the chancellor may suspend any student without prior hearing if such officer believes that the student's presence in the institutional unit constitutes an imminent danger to the institutional order or the safety and security of individuals and/or property. Such decision shall contain a brief statement of the facts, the applicable rules of law, and the circumstances or reasons that warrant such decision. The summary suspension shall be effective upon issuance of the notice and shall be served by personal delivery to the student or by certified mail with return receipt requested.

Section 6.25 - Informal Hearing

After a summary suspension is issued in accordance with these Regulations, the student shall be granted an informal hearing within five (5) working days from the date the precautionary

measure was imposed. The hearing shall be held before the Summary Proceeding Disciplinary Board, or the hearing officer appointed by the Disciplinary Board or the chancellor, as applicable, for the purpose of providing the student with an opportunity to be informed of the evidence on which the summary suspension was based, to be heard, and to present any evidence challenging the need for such precautionary measure. The Disciplinary Board, or the hearing officer appointed by the Disciplinary Board or the chancellor, as applicable, shall file their report on the hearing with recommendations not later than seventy-two (72) hours after the hearing.

Section 6.26 - Effects of Summary Suspension During the Course of Regular Proceedings

If the president or chancellor determines, upon receipt of a report from the Summary Proceeding Disciplinary Board or the appropriate hearing officer, that the summary suspension should be upheld, the suspension may remain in effect until the complaint is decided through a final ruling. The hearing under the regular formal proceeding shall be held not later than thirty (30) calendar days after the informal hearing unless any delay in excess of the aforementioned term is attributable to the respondent. Such delays due to a postponement requested by the respondent to the Disciplinary Board or its hearing officer shall be deemed an extension of the term of the summary suspension. A summary suspension shall not exceed six (6) months.

PART G - APPEALS

Section 6.27 - Appellate Procedure

If the respondent student disagrees with the chancellor's decision, the student may move the chancellor to reconsider the decision or appeal the decision to the president of the University, in accordance with the current regulations of the University of Puerto Rico on administrative appeals procedures. Where the president of the University issues the decision, the respondent student may move the president to reconsider and/or appeal the decision to the Governing Board, in accordance with the current University regulations on administrative appeals procedures.

Section 6.28 - Provisional Remedies

Upon a duly grounded petition filed by an interested party in accordance with the pertinent provisions of the current University regulations on administrative appeals procedures, the president or the Governing Board, as the case may be, may stay the effects of the sanction imposed by the institutional unit or the appealed forum while the appeal is pending.

PART H - READMISSION OF STUDENTS WHO HAVE BEEN EXPELLED

Section 6.29 - Application Requirements

A student who has been expelled from the University may only request that the disciplinary sanction be lifted in the same institutional unit where the sanction originated. In addition, the student shall comply with the following conditions:

1. Apply for readmission to the same unit where the student had studied at least four (4) years after expulsion.
2. Present evidence showing that the expulsion should be lifted and that the situation that caused the expulsion is no longer present.

3. Commit in writing to faithfully observe the rules of conduct in these Regulations.
4. Certify that the student has not applied for readmission to any other institutional unit.

Section 6.30 - Advice

The chancellor shall submit the petition to lifting an expulsion to the Disciplinary Board or a designated hearing officer, who, after appropriate administrative hearings, shall advise the chancellor on the merits of the petition. The chancellor shall issue a final decision as to the lifting of sanctions.

Section 6.31 - Conditions for Readmission

The decision as to readmission shall rest with the institutional unit where the original sanction was imposed, regardless of the unit where the student is applying for readmission. If readmission is granted, the student will be subject to a disciplinary probationary period of one (1) year. In the event of any violation of the rules of conduct set forth herein, the student will be permanently expelled without the right to apply for readmission.

CHAPTER VII - FINAL PROVISIONS

Section 7.1 - Institutional Unit Student Regulations

Within six (6) months from the date of approval of these Regulations, the provisions of the student regulations of the institutional units shall be drafted in accordance with Section 10(C) of the University of Puerto Rico Act and these Regulations.

Section 7.2 - University Facilities

Whenever the phrase “university facilities” is used in these Regulations, it shall be understood to mean all institutional units of the University, as well as all other branches, premises, lands, and facilities under the control of the University of Puerto Rico, or any other site that is considered an extension of the classroom or where official acts are held or sponsored by the institution or in which the University participates.

Section 7.3 - Student

For purposes of these Regulations and unless otherwise provided in any section of these Regulations, the term “student” shall refer to any person who is taking one or more courses of any nature or purpose in any of the units of the University of Puerto Rico system. Persons who withdraw from the institution after allegedly incurring in conduct contrary to these Regulations or who are not officially enrolled during a given academic term but maintain an ongoing relationship with the institution, or those who have been notified of their admission to the University are also considered students. Persons who live in the university residence halls shall also be considered students, even when not enrolled.

Section 7.4 - Amendments

- A. These Regulations may be amended at any time by the Governing Board, on its own motion or at the request of the president of the University.

- B. The academic senates, the student councils, and any member of the University Board may propose amendments to these Regulations to the University Board. Students interested in proposing amendments must present such amendments in writing through their student council.
- C. The University Board may submit to the Governing Board, after consultation with the student councils and academic senates of all units, any proposal or recommendation on amendments to these Regulations. The Governing Board shall consider such proposals and make a final determination as to their approval.

Section 7.5 - Severability

The provisions of these Regulations are severable. If one or more sections were held to be invalid, the invalidity shall not affect the remaining provisions that can be given effect independently from those declared invalid.

Section 7.6 - Caveat

These Regulations does not comprise all University of Puerto Rico rules and regulations that apply to students. It shall be the student's duty to comply with all other applicable institutional policies, rules and regulations.

Section 7.7 - Effectiveness and Repeal of Incompatible Regulations

These Regulations shall take effect thirty (30) days after filing with the Department of State, upon which time the General Student Regulations approved through Certification No. 18 (1997-1998) and filed with the Department of State of the Commonwealth of Puerto Rico under Regulation No. 5726, as well as any amendment thereto and any regulation that is incompatible with these Regulations, shall be repealed.