



Junta de Directores de la Corporación

Escuela de Artes Plásticas y Diseño de Puerto Rico (EAPD)

Certificación número 2018-2019-10

Yo, Profa. Ileana Muñoz Landrón, Rectora, de la Corporación de la Escuela de Artes Plásticas y Diseño de Puerto Rico, certifico-----

Que está Junta de Directores en su reunión del día 3 de mayo de 2019, determinó:

Que se apruebe el Reglamento de Estudiantes.

Para que así conste, se expide la presente certificación en San Juan de Puerto Rico, hoy día 9 de agosto de 2019.



Sello de la EAPD Junta de Directores

Dr. Abdías Méndez Robles
Presidente
Junta Corporación EAPD

Dra. Tamara Torres Morales
Secretaria
Junta de Directores EAPD

COMMONWEALTH OF PUERTO RICO
School of Visual Arts and Design of Puerto Rico

STUDENTS REGULATIONS

Table of Content

INTRODUCTION.....	5
Chapter I. General	5
Article 1. Title of the Regulations.....	5
Article 2. Legal Basis	6
Chapter II. Declaration of Purposes	6
Article 4. Principal Purpose	6
Chapter III. Definitions	7
Article 5. Terms and Definitions.....	7
Chapter IV. Of the Students	8
Article 6. Students.....	8
Chapter V. Of the Students' Rights and Duties.....	9
Article 7. Student's Right.....	9
Article 8. Student's Duty	9
Article 9. The Right to Student Participation.....	9
Article 10. Of Academic Life.....	10
Article 11. Right to Intellectual Property	11
Article 12. Evaluation, Grading and Change of Grade.....	11
Article 15. Policy concerning the Academic Calendar	12
Article 16. Students Associations.....	12
Article 17. Use of Facilities and Announcements.....	13
Article 18. Prohibition of Affiliations of Students Associations.....	13
Article 19. Initiation and Admission Practices of Students Associations	14
Article 20. Fund Raising and its Allocation.....	14
Article 21. Deactivation and Renewal of Student Associations.....	14
Article 22. Extra-Academic Activities.....	14
Chapter VI. Students Council	15
Article 24. Purposes.....	15
Article 25. Terms for the election of the Council.....	16
Article 26. Proceedings for Constituting the Students' Council.....	16

Article 27.	Composition of Students Council's Steering Board	18
	The member of the Students' Council may be elected for the same position for only two (2) terms, be they consecutive or not. The total of terms, consecutive or not, that any member will be able to hold positions in different post will be three (3) terms.	18
Article 28.	Eligibility Requirements	18
Article 29.	Functions of the Students Council's Members	19
Article 30.	Automatic Removal	21
Article 31.	Vacancies	22
Article 32.	Requests for a Revision	22
Chapter VII.	Of the Norms of Behavior and Disciplinary Measures	23
Article 33.	General Principles	23
Article 34.	On the Student Conduct, that entails Application	23
	of Disciplinary Sanctions of Minor Faults	23
Article 35.	On the Student Conduct, that entails the Application	25
	of Disciplinary Sanctions on Serious Offenses	25
Article 37.	Sanctions	28
Chapter VIII.	On Disciplinary Procedures	29
Article 38.	Disciplinary Committee	29
Article 39.	Disciplinary Procedures for Minor Offenses	30
Article 40.	Disciplinary Proceedings for Serious Offenses	31
Article 40.1.	Preliminary Investigation and Complaint	31
Article 40.4.	Formal Administrative Hearing	33
Article 40.6.	Report and recommendation by the Official Examiner	34
Article 41.	On Summary Suspensions	34
Article 42.	Reconsideration and Revision	35
Article 43.	On Disciplinary Records	36
Article 44.	On Probations and Academic Suspensions	36
Chapter IX.	Amendments and Update	37
Article 45.	Separability of Articles, Clauses or Sections	37
Article 46.	Amendments	37
Article 47.	Revision	37
Article 48.	Immediate Validity	38

STUDENTS REGULATIONS
OF THE SCHOOL OF VISUAL ART AND DESIGN OF PUERTO RICO

INTRODUCTION

The task of the university requires fostering a full education of the student as a free human being and the development of a conscience of service to the Puerto Rican community. Therefore, it is indispensable to encourage conditions of harmony, tolerance, respect, self-motivated commitment, and participation in this community.

The mission, philosophy and objectives of School of Visual Arts and Design ('the School' from now on), have to be safeguarded and protected through duly guarantee of the institutional order. Therefore the students rights to education and expression according to norms of conduct and university life style cannot interfere or prejudice in any way, the normal course of university activities, or affect the institutional order.

To these effects, these Students Regulations has as a purpose to define the obligations and rights of the School's students.

Chapter I. General

Article 1. Title of the Regulations

These Regulations will be known as the "Regulations of the Students of the School of Visual Arts and Design of Puerto Rico." It will be applied to all School's students.¹

Once admitted, each School student will receive an electronic copy of these Regulations. In addition, a copy will be kept in the Library for an adequate student orientation and a copy will be made available through the School web page (www.eap.edu).

These Regulations are applicable in all the School premises, both current and future ones, including the parking lots belonging to the School and any land or premise under its

¹¹ Students of the Extension Program will be subject to the Extension Program Regulations in those matters special to the Program. In everything else they will be subject to these Student's Regulations.

administration, control or leasing, including the web page www.eap.edu and on-line courses or any other place considered an extension of the classroom, or where official activities are being conducted hosted by or held by the School, or those in which it participates.

Article 2. Legal Basis

These regulations are issued according to the dispositions of Law No. 225 of December 17 2015, Article 4, incise (B) 1.

Article 3. Derogation of these Regulations

The current Students Regulations are derogated and it is substituted in its totality for these Students Regulations and any other revision.

Chapter II. Declaration of Purposes

Article 4. Principal Purpose

These Regulations have the fundamental purpose of establishing norms of conduct for all students within the university community of the School which, in harmony with an academic education in the Arts, Design and Art Education, enables each of these students to evolve responsibly in society. Likewise, disciplinary sanctions are established that apply to offenses.

In the same manner, the Students' Regulations provide for the formation of those student organizations that adequately represent the students' interests within the academic community. It establishes the proceedings to organize, duties and responsibilities of the Students' Council. It also provides for students' extra-academic activities, and for their participation in the complementary institutional services.

The Students Regulations have as a fundamental principle the students' right to expression, particularly, artistic expression. This right cannot be interpreted as valid justification to; the transgression of the civil rights of other persons or groups; to place in danger the lives and personal security of others; to smear reputations; to undermine the institutional order; to impede and obstruct the administrative and cultural activities that take place in the School premises, or in any of its modalities, nor damage, blemish, stick, make dirty or mutilate the School's property, including its buildings which are historic monuments. In addition, the established rule of law defines that no student has the right to

prevent the School from accomplishing its academic offering and prevent the students who wish to attend classes, from doing so. U.P.R. v. Laborde, 180 D.P.R. 253, 314-315 (2010).

These Regulations have the aim of establishing disciplinary processes applicable to students for the transgression of the established norms of conduct and set the corresponding sanctions.

Chapter III. Definitions

Article 5. Terms and Definitions

The bodies, entities or officials of the School hereby identified, will have the meaning stated as follows:

- a. **Board of Directors** – entity in charge of the School’s public policy, according to the faculties and duties it has been given, and to accomplish the ends, purposes and objectives established in, Article 4 of Law number 225 of December 17, 2015.
- b. **Chancellor** - an official appointed by the Board of Directors, who has the administrative and academic authority over the School, according to Article 5, Incise B (2) of Law number 225 of December 17, 2015; and enforces the norms and regulations adopted by the Board of Directors itself.
- c. **Students Council** – it is the representative structure of the students’ body, before the School’s administration. The students Council, (the Council, from now on), shall analyze and present the problems and needs of the university community. The Council will be the only body recognized by the School as the students’ official representation in a manner that channels the ample, free, and full democratic participation of all students.
- d. **Disciplinary Committee** – an institutional body composed of members of the academic community and named by the Schools’ Chancellor, in accordance with Students Regulations, to analyze and make de facto decisions on any complaint presented against a student in a given informal procedure.
- e. **Official Examiner** – a lawyer, duly certified in Puerto Rico, designated by the School’s Board of Directors or the Chancellor, who will not be part of the academic community, who at first instance will preside over a formal disciplinary proceeding and who presents the Chancellor with a report and recommendations containing factual judgements, juridical conclusions and

specific recommendations about the disciplinary measures to be taken if any, under School Regulations.

- f. **Minor Offense** – the conduct of a student that is described in detail in Article 34, and that in the judgment of the Dean of Academic and Students Affairs, violates the norms of conduct established in the Students Regulations, or any other administrative and academic norm, which has an effect in the institutional order and which entails the imposition of a admonishing sanction or a verbal or written reprimand or probation for a definite period of time, and the application of corrective measures. Minor faults will be subject to an informal proceeding.

- g. **Serious Offense**– the conduct of a student that, in the Dean of Academic and Students Affairs judgment, violates the norms established in Article 35 of the current Students Regulations and that might require a suspension sanction for a defined period of time or the definitive removal from the School. Serious offenses are subject to a formal disciplinary proceeding.

Chapter IV. Of the Students

Article 6. Students

Students of the School will be all those persons who have, been admitted, enrolled and paid the required costs for the semester or session, and who are not sanctioned with a suspension. For the purposes of these Regulations, the students are both the participants of the Regular program as well as participants of other programs. The School has the right to admit, readmit, or enroll a student in each semester or session. The School must not discriminate on education or servicing on grounds of race, color, sexual orientation, gender identity, age, origin or social condition, ancestry, civil status, political ideas, religion, nationality, ethnic origin, being a veteran of the US Armed Forces, nor mental or physical disability. In compliance with Title IX of the Education Amendments of 1972, the EAPD prohibits discrimination on grounds of sex in all educational activities, also on being a victim of or being perceived as victim of domestic violence, sexual aggression or stalking, or any other category protected by the law.

Every student will be given an identification card. The student must carry with him/her this identification card at all times, and when requesting academic or administrative services. The School may request the presentation of this card whenever it is deemed necessary. The student, who cannot present or show his/her identification card for all academic or administrative purpose, is considered a person alien to the School. Any staff member, official or faculty member can request a person alien to the School to leave the building or premises. The Dean of Academic and Students Affairs may request the devolution of the identification card from the students who loose their student status.

Every enrolled and duly identified student will have the right to vote and participate in the election of the Students Council. It will be the duty of every student to participate in these elections and comply with the dispositions contained in these Students Regulations, regarding such election process.

Chapter V. Of the Students' Rights and Duties

Article 7. Student's Right

Student's fundamental right is the right to receive education. For such reason, the School will ensure that no activity interferes with this right, and to that end, it will guarantee the normal course of academic activities through all administrative mechanisms available to its reach.

Article 8. Student's Duty

In the same manner, the fundamental duty of every student is to exercise the right to be educated, and to act in such manner that his/her behavior does not violates or interferes with other student's right to be educated or with members of the community.

In addition, it is the duty of every School student to attend classes, comply with requirements defined by the teacher in the course syllabus and to behave with respect and deference toward his/her teachers and fellow students. For this reason any student could be withdrawn from a course automatically, after being absent from it without excuse, for five (5) times in a semester.

Article 9. The Right to Student Participation

- a. The School acknowledges students' right too take part in the following areas of the institutional government, with the provision that such representation cannot be transferred to another person:

- 1 Participation in the Academic Council– The president of the Academic Council will be part of the Academic Council.²

² Regulations of the Academic Council, Chapter IV, Article 6, section f.

- 2 Disciplinary Committee– The vice-president of the Students Council will be part of the Disciplinary Committee. If the vice-president is the subject of a disciplinary proceeding, the treasurer of the Students' Council will take over the responsibilities and obligations of the vice-president before the Disciplinary Committee.
 - 3 Board of Directors - The president of the Students Council will be a member of the School's Board of Directors, according to Law No. 225 of December 17 2015.
- b. Students' participation in this or any other administrative body will be conditioned to meeting the following requirements:
1. The student shall have an grade point average (GPA) higher than 2.5.
 2. There should be no disciplinary sanction in the student's record.
 3. The student should not be under any disciplinary proceeding. The student subject to a disciplinary process will be suspended from its position in a given governing body during the time of the disciplinary proceeding. Once the disciplinary process has ended, the student will be reestablished to his/her position in the body of the given governing institution.

Article 10. Of Academic Life

The academic activity that takes place between the professor and the student, both within and outside the classroom, will be ruled by the following principles: respect for the right and dignity, propriety, ethics, integrity, respect for diversity, the appropriate use of electronic and digital means, direction, academic stature and respect for creative sensibility. It is both duties, to attend every session punctually. In the same manner, both will share the responsibility to create and propitiate an academic climate of harmony and collaboration, where the professor and the student contribute positively to its development.

The school of Visual Arts and Design recognizes that as a university specialized in the Fine Arts, the academic community will explore themes, ideas and practices that can move emotions, ideals, postures and convictions. For this reason, it recognizes that both, students and members of the academic community and academics will experience feelings that lead to some degree of discomfort or internal conflict. It is for this reason that students committed to work with such ideas and conflicts, will work their themes and artistic expressions within an open space of respect; and will approach the themes

and artistic expressions with dignity and showing respect for all the members of the academic community.

Article 11. Right to Intellectual Property

Every student who produces a work of art or design of any kind, as part of a class requirement, has the right to have recognition of intellectual property over his/her work in case the professor or the Institution want to use the work in a publication, a demonstration or any type of publishing. Nonetheless if the case has merits, the student will be allowed to request that a work of his/he authorship, performed as a class requirement, is not used for promotional purposes or such for the School.

Article 12. Evaluation, Grading and Change of Grade

Every student has the right to be fairly evaluated and qualified. The School watches over the integrity of academic processes that lead to an academic qualification of each student. It is an obligation and right of every professor to develop an evaluation scheme akin to those set by the School, in order to guarantee a fair qualification of each student in each of his/her courses. All the qualification processes will be recorded; such records will be confidential and the Registrar will be its custodian. This office is ruled by the Law of Educational Rights and Privacy of the Family of 1974 (FERPA), also known as the Buckley Amendment, whose objective is to protect the privacy of students' academic records.

In case the student understands that he/she has been unfairly evaluated, he/she will be able to request reconsideration from the professor, in person, the semester following the qualification. If after evaluating the case, the professor decides to amend the given degree, he/she should notify it to the Registrar and fill in the Form for Changing a Grade, before the date set in the Academic Calendar.

If the professor decides not to change the grade, the student can request reconsideration in writing to the Dean of Academic and Students Affairs. The Dean will proceed to form an ad hoc committee, formed by a member of Dean's Office, and professor from the Department, in addition to himself, or his/her representative, which will proceed to revise the case and make a final decision. This decision cannot be appealed.

Article 13. Procedure for Complaints or Grievances

If a student wishes to file a complaint or grievance about a professor of a course in which he/she is enrolled, that it is not a grade allegation, he/she can use the internal

procedure for the handling of complaints or grievances of the students about the faculty, provided alongside other regulations, norms and student policies. Such document is available at the Dean of Academic and Students Affairs Office.

Article 14. Honor Roll

In order to be part of the Honor Roll the student must have a minimum 3.75 grade point average at the end of the first semester and must have been enrolled full time during the whole academic year, with the exception of graduation candidates. First year students should have approved at least fifteen (15) credits in their first semester.³

Article 15. Policy concerning the Academic Calendar

The School Academic Calendar establishes the dates ruling the academic year. These dates establish the work rhythm and the life of the academic community, therefore they will be observed rigorously by everyone, especially the withdrawals, readmissions, enrollments, and Grading. Only the Dean of Academic and Student Affairs, with the approval of the Chancellor, can decree the change of academic dates previously established.

Every student is responsible for knowing the dates set in the Calendar and complying with them. The Academic Calendar is published on the School's webpage.

Article 16. Students Associations

Students in the regular class programs, who are a group of more than eight (8) students, will be able to organize themselves as a student organization and request recognition by the Dean of Academic and Students Affairs as a student association affiliated to the School of Visual Arts and Design.

Student associations will facilitate students' integration into society and the professional realm as responsible and full citizens. Therefore, students associations will promote university style activities, which aim at enhancing the image and good name of the School of Visual Arts and Design and of the association itself, and its members.

A student association, which seeks accreditation by the Dean of Academic and Students Affairs, should follow the norms on Students Associations. In order to be accredited it will submit a copy of its regulations and/or constitution of its organization.

³ Academic Catalogue.

These documents should contain a declaration of purpose, the requirements to be official members of the steering board, the rules, and the procedures. Likewise it should submit the name of the counselor of such student organization, be him/her member of the faculty or the administrative staff. This information should be submitted before the Dean of Academic and Students Affairs Office, before its accreditation, and should be renewed annually; otherwise, the association will lose the accreditation automatically. Students associations will be accredited for an academic year.

Every student will have the opportunity to belong and participate in students associations, as long as he/she meets the requirements set in the regulations of those associations.

Article 17. Use of Facilities and Announcements

Students may request permission for the use of the facilities of the School of Visual Arts and Design. For this purpose, they should fill in the Form for the Use of the Facilities provided by the Office of the Dean of Administration. The activity organizers will be responsible for the behavior of guests and members of its association. Students will be able to distribute printed materials previously approved by the Dean's Office, such as, newspapers, magazines, leaflets, and/or fix posters or ads on the School walls or bulletin boards, in order to announce its activities. The Dean of Administration's Office will remove leaflets, posters or ads on the Institution's walls and bulletin boards that have not been previously authorized by it.

Article 18. Prohibition of Affiliations of Students Associations

Students associations will not be able to affiliate to groups or political parties associations, nor religious groups. The Dean of Academic and Students Affairs will not recognize any entity that puts forward or practices discrimination on grounds of sex, gender, race, sexual orientation, being victim or perceived as victim of domestic violence, sexual aggression, stalking, a US Army veteran condition, color, ethnic origin, religious and/or political beliefs, mental or physical disability, nor social or economic origin. It can neither recognize any association that has the essential purpose of carrying out actions against the law and public and institutional order, or that put in jeopardy the aims and purposes for which this School of Visual Arts and Design. Students associations can be affiliated to other professional or academic groups, as long as they do not go against the institutional mission of the School and are beneficial to the School students .

Article 19. Initiation and Admission Practices of Students Associations

If students associations have any initiation ceremony, the latter should be described in the group's official regulations, (according to Regulation No. 6426 of Puerto Rico's Council on Higher Education). Such initiation ceremony should be held with respect for individual rights, the dignity and integrity of each member, and within the frame of the Law (Law No. 117 of 1994).

It is the associations' right to charge a fee for entering or belonging to them.

Article 20. Fund Raising and its Allocation

Students associations may, as part of their regulations, request admission fees, sell items and other fund raising-methods.

If students associations request admission fees, from its members, they should render an annual accounting report to the Dean of Academic and Students Affairs, explaining the use of the money collected under such purpose. The report should include the signatures of two members of the directing body and of two members of the Student Council. The School will not guard nor be responsible for the collected money.

If the associations wish to hold sales, they should request permission with anticipation from the Dean of Academic and Students Affairs. To this end, they should fill in the *Permission for doing sales in the Institution*.

Article 21. Deactivation and Renewal of Student Associations

If any association were inactive for more than a year, it will have to submit again all the necessary documents for its activation.

In order to renew the association annually, the students should update the information of the association or organization, at the Dean of Academic and Students Affairs Office. The president of each organization should fill in the Application for Accreditation of Students Associations in August of each year. The latter will include the information of new members and their contacts.

Article 22. Extra-Academic Activities

Students may have free expression association and free gathering and carry out activities within the facilities and premises of the School of Visual Arts and Design, as long as

they have previous authorization from the Dean of Administration, requested within five (5) work-days, previous to the date set for the activity, and as long as the date does not overlap, interfere, stop or prejudice in any form the normal course of university activities, nor alter the continuity of academic and administrative activities nor put in risk the security of others. Any student who violates the norms of conduct set by these Regulations when holding an extra-academic activity, will be subject to the established disciplinary sanctions.

Every extra-academic activity within the premises and facilities of the School of Visual Arts and Design, shall be conducted in a responsible and orderly manner, whereby access and exit should be free and without any perturbation for all student, for all the faculty members for all staff members and for all people who have a legitimate purpose for visiting the School. For this purpose they should fill in the Form for the Use of Facilities, provided by the Administrative Dean's Office, where the purpose, participants and guests, place, hour and length of the extra-academic activity will be stated. The Dean of Academic and Students Affairs, will deliver in writing the authorization or denial to the students requesting it, and the decision will be final.

If, as part of an extra-academic activity, the student wishes to deliver leaflets, place posters or notices in the Bulletin Board, or the Institutions walls, he/she shall request previous permission from the Dean of Academic and Students Affairs. The Dean's Office will remove leaflets, posters or notices that have not been previously authorized.

Article 23. Removal of Students' Class Works and Final Projects From Workshops and Classrooms

Students' class works and final project shall be removed from the School workshops and classrooms no later than two (2) weeks after the end of classes each semester. The School will not be responsible for classwork's and final projects left by professors, in classrooms and workshops, after the removal dates established in the Academic Calendar. This also applies to works in exhibitions.

Chapter VI. Students Council

Article 24. Purposes

The Students' Council will have the purposes, duties, and attributions exposed hereafter:

- a. Serve as the only representative body recognized and authorized by the students, in students and official activities and before the School administration.
- b. Expose their opinions and recommendations before the Dean of Academic and Students Affairs and before other university, authorities that so request, on those matters that impinge on the students.
- c. To participate in the committees to which they are designated by regulations or as requested by the Board of Directors, the Chancellor, or the Dean of Academic and Students Affairs.
- d. Stimulate the spirit of fellowship and the spirit of a university community among students, professors and staff of the School of Visual Arts and Design through activities akin to such ends and purposes.
- e. To promote institutional order, compliance with the recognized and authorized norms of conduct among students, and safeguard the good name of the School of Visual Arts and Design, before all the academic community and society at large.
- f. Adapt and approve the norms and rules of internal government of the Students Council and watch over its compliance by its members.
- g. Hold at least one student assembly by semester, or as many as needed at the students request, to discuss issues related to student life.
- h. Keep a faithful and accurate record of meetings, acts, polls, and agreements achieved during every academic year.
- i. Hold activities to raise funds to cover expenses of the Students Council, as well as a faithful and accurate record of every economic activity carried out.
- j. Submit before the Students' Assembly the valid motions its deems necessary for voting, through a secret poll of attending students.

Article 25. Terms for the election of the Council

Students of the Regular Program of the School of Visual Arts and Design will annually elect a Students Council between September 1st and 30th.

Article 26. Proceedings for Constituting the Students' Council

The procedure for nominating, electing and constituting the Students Council is as follows:

- a. The procedure for nominating and choosing the Students Council will entail holding a nomination assembly and finally, the election process by means of a referendum. Every student will be notified about the assembly via electronic mail and by placing notices to those purposes on the School bulletin boards, five (5) days before holding the assembly.
- b. In order to hold the nominations assembly it will be necessary a quorum of 20% of the total enrollment of students entitled to vote. If the assembly cannot be held on that day due to lack of quorum, there will be another call for a second assembly. This assembly will be notified within the following two (2) days and held within the two (2) days after announcement. In the latter assembly, those present will constitute quorum.
- c. The Dean of Academic and Students Affairs, or the person he/she delegates, will call for and will preside the nominations assembly, within the term established in Article 24.
- d. In order to be nominated, the student shall be present and accept the nomination or say so in writing or by some other means, his/her availability to be nominated, in case he/she cannot be present. No student can be nominated for more than one post. For every position, there should be a minimum of two (2) candidates. During the nominations, assembly students will be excused from any other obligation in the School, so that he/she can attend the assemblies. The Dean of Academic and Students Affairs will notify the Faculty the dates of the assemblies.
- e. Once the nominations assembly ends, the candidates will be certified by the Registrar and the Dean of Academic and Students Affairs will proceed to authorize their inclusion in the ballot. The certification by the Registrar will mean that the candidates meet the requirements defined in Articles 8 and 27 of these Regulations. The candidates will have five (5) days to do their promotion and campaign; afterwards the voting process will take place.
- f. This process of secret election should take place during a period of time of three (3) consecutive days, from 9:00 in the morning to 5:00 in the afternoon, and it will end when 30% of the eligible student population has voted. Students with the majority of votes for each position will be elected.
- g. The scrutiny committee will be formed by a student chosen by the Students Council and who is not a candidate; a staff member of the Dean of Academic and Students Affairs or a person who represents him/her. The Dean of Academic and Students Affairs or a person representing him/her, named by him/her, will look after the fairness, of the assembly of nominations, the election proceedings, and the final election at the end of last day of polls.

- h. In case several candidates for a same position have the same quantity of votes, there will be another election round for the final choice.
- i. The Dean of Academic and Students Affairs will certify the students elected for the Students Council. The community will be informed by electronic mail and the Bulletin Board.

Article 27. Composition of Students Council's Steering Board

The Students' Council Board will be composed of a President, Vice-president, a Secretary, a Treasurer, Representatives from each of the Departments and a first year delegate, who have been nominated and chosen by the students for such positions, in compliance with the dispositions of these Regulations. The Dean of Academic and Students Affairs will be an ex-officio member - without vote - of the Students' Council.

The Students Council quorum will be constituted by five (5) of its members and the Dean of Academic and Students Affairs or his/her representative.

The Students Council will meet in ordinary session once (1) a month. The Students Council will be able to meet in extraordinary session when an urgent matter that requires immediate attention raises. The ordinary and extraordinary sessions will require quorum in order to be conformed and submit measures, motions, resolutions, and others, and vote on them.

The member of the Students' Council may be elected for the same position for only two (2) terms, be they consecutive or not. The total of terms, consecutive or not, that any member will be able to hold positions in different post will be three (3) terms.

Article 28. Eligibility Requirements

The requirements for being eligible to the Students' Council or any School body, as a Students Council representative, are as follows:

- a. Be a student of the Institution Regular Program and being enrolled with twelve (12) credits per semester, except for those students who are candidates to graduation.
- b. Have a grade point average no lower than 2.50 at the moment of being nominated and taking up the position.

- c. Not being in probation, nor suspended from classes as a disciplinary measure, nor being subject to any disciplinary process, at the moment of being nominated and taking the position.
- d. Having approved no less than twenty-four (24) credits in the School of Visual Arts and Design at the moment of nomination and taking the position.
- e. As an exception, it will be eligible a first year regular student enrolled in nine (9) credits or more.
- f. Candidates to the position of President should be older than 18 years. (Law No. 225-2015).
- g. Comply with the requirements defined in Article 8 of these Regulations.

Article 29. Functions of the Students Council's Members

- a. The **President** will have the following functions and responsibilities:
 - 1) Call for and preside over the Council's ordinary and extraordinary meetings, except for those where his/her automatic removal is under consideration, according to what has been established here.
 - 2) Prepare a Work Plan for the Academic year, availed by the Council in full session and submit it a month after its certification, to the Dean of Academic and Students Affairs.
 - 3) Represent the Students Council or designate a representative to all official activities of the School of Visual Arts and Design, which require student representation. To participate in the meetings of the Academic Council and other institutional committees.
 - 4) Present, on behalf of the Students Council, and approved by it, an Annual Report to the Dean of Academic and Students Affairs, in which it is presented the work done by the Students Council during the Academic year, and on the results of the fund- raising activities carried out on behalf of the Council itself.
 - 5) Deliver to the Finance Office, with copy to the new Students' Council and to the Dean of Academic and Students Affairs, an Annual Report on the status of the Council's finances, with detailed data on income and spending of student's funds during the year of his/her tenure.
 - 6) Be an ex officio member of the School's Board of Directors (Law No.

225-2015).

- 7) Represent the students' interests before the Academic Council of the School of Visual Arts and Design.
 - 8) The Students Council grants the Ricardo E. Alegría Medal to a student with outstanding community or civic work, in the graduation
- b. The **Vice-president** will have the following functions and responsibilities:
- 1) Collaborate with the President in the discharge and fulfillment of his/her responsibilities.
 - 2) Substitute the President in his/her absence, except before the Board of Directors.
 - 3) Perform the tasks and errands assigned to him/her.
- c. The **Secretary** will have the following functions and responsibilities:
- d.
- 1) Call the Council members for ordinary or extraordinary meetings.
 - 2) Keep a faithful and accurate record of the calls for meetings, the citations, attendance, agendas, minutes, agreements, letters, and communications and decisions of the Students Council.
 - 3) Communicate in writing the Council's agreements, to the university student's community.
 - 4) Certify the agreements and decisions of the Students Council.
- e. The **Treasurer** will have the following functions and responsibilities:
- 1) Keep a faithful and accurate record of the Council's finances, and very especially of its income and spending.
 - 2) Submit to the Council's consideration a cost estimate of every activity the Council plans.
 - 3) Submit to the Council in full, a Quarterly Report on the Council's functions, i.e.: raised funds, spent funds, committed funds, and the funds balance, with all the necessary justifying documents.
 - 4) Submit to the Council's deliberation, at the beginning of the academic year a fund-raising plan to finance the Council's activities.

- 5) Prepare and present an Annual Report on the Council's financial status, describing income and spending of the students' funds, for its discussion and approval.
- f. The **Department Representative** will have the following functions and responsibilities:
- 1) Represent the interests of each Department's students before the Students' Council.
 - 2) Communicate students and teaching staff of his/her Department about actions and decisions in the Students Council's meetings
 - 3) Meet with his/her Department Director to inform about what took place, and decisions made in the meetings of the Students Council.
 - 4) Promote the participation of students of his/her Department, in School activities.
- g. The **Counselor** will have the following functions and responsibilities:
- 1) Advise the Students' Council in those matters and issues that demand his/her opinion and recommendation.
 - 2) Advice and guide so that the functions of the Students Council are carried out and fully fulfilled.
 - 3) Establish a healthy liaison between the Students Council, professors, administrative and academic staff of the School of Visual Arts and Design.
- h. The **First Year Representative** will have the function and responsibility of representing the interests of first year students before the Students Council.

Article 30. Automatic Removal

Any member of the Students' Council could be immediately removed from his/her position before the term he/she was elected for, expires if; he/she commits any of these faults:

- a. Being under disciplinary sanction for violation of the norms of conduct and/or violation of the Students Regulations, or any other institutional regulations.

- b. Being absent, without justified excuse, from more than three (3) ordinary meetings duly called for and in accordance with the Students Council internal regulations.
- c. Maintains a disrespectful or discord conduct with regard to other members of the Students Council or other members of the university community, which impedes the full functioning of the Students' Council.
- d. Represent the Students' Council in activities, or issue statements, public or private in his/her name without having the approval or authorization of the majority of the Students' Council members.
- e. Is absent without justifiable excuse, from three (3) or more meetings with and administrative or managing staff or his/her authorized representative. The staff member will notify, with evidence, the Students Council, of such situation, for evaluation and determination.

Three (3) members of the Students Council may request an extraordinary session of the Council in order to discuss this issue and with a majority vote, remove the member of the Council who presents such behavior, which harms the Council's interests.

Article 31. Vacancies

Vacancies in the Board (President, Vice-president, Secretary, Treasurer and Academic Representative) of the Students' Council will be filled in throughout an internal mechanism established by it. If the position of Department representative becomes vacant, the Dean of Academic and Students Affairs will appoint the student who had the second place in the Students' Council General election. If there wasn't a second candidate, an internal poll within the Department will be held. Every new incumbent will hold the position during the corresponding term of the Students Council. The Students Council will be able to recruit voluntary personnel, according to internal selection criteria.

Article 32. Requests for a Revision

- a. Once the election results have been published, any student who wishes to make a revision, allegation or impugnation of the process or its results, will have seven (7) work days, from the day of the publication of results, to ask for a revision process.

- b. Every student who wishes to make a petition for revision should do so in writing, with a letter addressed to the Dean of Academic and Students Affairs or his/her representative.
- c. The Dean will revise the petition and will do the relevant investigation according to the request. The Dean will have a maximum of seven (7) workdays to answer the letter and if necessary, start a process of reelection, recounting, or any other applicable measure.
- d. In the case of the recounting, the Dean shall call for the Scrutiny Committee again and will offer the parties involved to be present in such recount.
- e. In case of a second round of elections, the election process will be repeated only for the candidacy that was questioned. The Dean will notify each of the candidates about the process. In addition, the student community will be notified about the process that will take place.
- f. The rest of the elected students who have not been questioned, will not be affected and will be able to normally continue their work. Once the process has been finished, the Dean will announce the elected candidates and they will be able to join the Elected Council.

Chapter VII. Of the Norms of Behavior and Disciplinary Measures

Article 33. General Principles

It is a fundamental principle of these Students Regulations that the students' freedom of expression, in particular, any manifestation of artistic character, cannot be an excuse nor a valid justification for violating the civil rights of other people and groups, put in danger the life and personal security of others, smear reputations, undermine the institutional order, nor damage, spoil, make dirty or mutilate the property of the School of Visual Arts and Design, including its buildings which are historical monuments or its presence in cyber spaces or social networks.

Article 34. On the Student Conduct, that entails Application of Disciplinary Sanctions of Minor Faults

Students who carry out actions that violate the norms of university conduct or that violate the institutional order, as identified here, are subject to a disciplinary process that could entail the impositions of minor sanctions, as follows:

- a. Violate these Students Regulations or the norms established under it, defined as minor offenses.
- b. Incite or promote violations to these Students Regulations established under it, and defined as minor offenses, or any other administrative or academic norm in force, against any person, professor, student, official staff member, or School employee.
- c. Be a member of the Students Council and not keep a faithful and accurate record of meetings, acts, votes, and agreements arrived at during every academic year or non fulfillment of the obligations of a Council member as established in these Regulations.
- d. Disobey and/or violate any of the probation conditions and/or sanctions applied according to the procedures established in these Students Regulations.
- e. Participate in activities of propaganda or proselytism of a partisan character within the installations and premises of the School or in activities associated, organized or hosted by the School.
- f. Violate the workshops safety norms.
- g. Disobey or refuse to comply with the instructions given by authorized School staff, acting while on duty, authority and responsibility, including disobeying or refusing to appear before the School authorized officials, after the emission of an official citation issued to carry out an academic endeavor or administrative process, investigation or any other process legitimate to the School's aims and purposes.
- h. Use cursing, gross, profane or obscene language within the School's premises, in associated activities, organized or hosted by the School or in cyber spaces or social networks related to the School.
- i. Leave equipment, materials, works of art or private objects in the Institution's facilities, without due permission.
 - i. Rowdiness, speaking loudly near classrooms, workshops, work offices, halls, stairs, Library and in areas near or next to them.
 - j. Running in the halls, or placing materials, installations or work in process in the halls, without duly authorization of the Director of Physical Installations and the of Academic and Student's Affairs.

- k. Form chatting groups in classrooms, or workshops that are not being used, without the due authorization of the Dean of Administration.
- l. Use musical instruments near classrooms, use portable radios or any other electronic equipment, which transmit music or sounds, or create unnecessary noises, that disturb the works that are taking place in classrooms, workshops, Library, or offices.
- m. Use cell phones and computer equipment in class without the professor's approval.
- n. To run skateboards, roller skates, or any other similar equipment within the School facilities. Bicycles or other similar equipment will be left in areas provided for that purpose.

Article 35. On the Student Conduct, that entails the Application of Disciplinary Sanctions on Serious Offenses

Students who carry out actions that infringe the university norms of conduct, or that violate the institutional order, here identified, will be subject to a disciplinary procedure, that might entail the application of a disciplinary sanction of a serious offense, such as a:

- a. Incite or promote violations of the established norms defined under these Regulations as serious offenses.
- b. Ignore, disobey and/or not comply with policies, established regulations, circular letters, informative manuals, the Workshops Safety Regulations, Institutional Policies on the Use of Drugs and Alcohol Abuse, Sexual Harassment Policies, Domestic Violence, Institutional Policies for Disable Persons, and any other protocol or procedure, or administrative order enacted by the directive bodies, the Chancellor or Board of Directors; as well as orders or verbal instructions given by officials, professors or staff members of the School of Visual Arts and Design. The student will be able to access to them via the Institution's webpage (www.eap.edu).
- c. Take alcoholic beverages or illegal drugs in the activities hosted by the School of Visual Arts and Design, both in its principal facilities and premises, as well as its buildings, both present and future ones, including any ground or place under its control or leasing, in the long run or for such activity, or in any other it considers an extension of the classroom, or where official activities are held by the School, or where it participates, as requested by the Act of Schools and Communities Free of Drugs, in order to maintain federal funds eligibility.

- d. Represent the School, the Students Council, faculty members, staff members, officials without previous authorization, in any activity, administrative process, or forum.
- e. Get grades, Grading, permits, by false representation or using false simulations, or impersonating somebody else, or via trick or deceit.
- f. Commit acts of plagiarism, theft of intellectual property. The School of Visual Arts and Design considers plagiarism as the deliberate theft of ideas, writings, creations, works (or any other format) of other people or entity, without recognizing the authorship or giving due credit; or that there is fraud by propounding others' ideas as his/hers ideas, writings, creations, works (or any other format) in order to obtain benefit. Another form of plagiarism is self-plagiarism or the presentation of works already executed, as new.⁴ The right of authorship, also known as copyright right, is an exclusive right granted by the Federal Government to the creators of original art. This law is known as Copyright Act of 1976, 17 U.S.C. § 101, et seq., as amended.
- g. Alter or falsify grades, records, ID cards, workshops use permits, enrollment turns and any other official School of Visual Arts and Design document, with any aim or purpose.
- h. Peace disturbance, provocations to fights, behaving tumultuously, challenging or aggressive attitude in the facilities and premises of the School of Visual Arts and Design, including any other premise or facility under its control or leasing, or in any other place considered an extension of the classroom, or where official activities hosted by the School are being held or where the School is taking part.
- i. Organize, plan, lead, participate or instigate others to carry out unauthorized activities in order to interrupt, block, disturb or impede the normal course of the Institution's programmed activities or the legitimate functions and powers granted by law to the Board of Directors, the Chancellor, be them within the School of Visual Arts and Design premises or in any other facilities under its control or lease.
- j. Disrespect, insult, vex, threaten, and try to threaten a School official, professor, student, or staff member.
- k. Use, consume, posses or distribute illegal drugs, alcoholic beverages in the facilities, buildings, dependencies, and land of the School; as well as attending classes or workshops under the effect of alcoholic drinks or illegal drugs.

⁴ Adapted from the Academic Catalogue updated at the moment of its approval.

- l. Participate in dishonest acts, lascivious or impudence, dishonest exposure or passionate scenes proper of private spaces, or gambling within the buildings, dependencies, land or School premises; as well as incurring in harassment, sexual aggressions, domestic violence or stalking of other students, professors or School staff members.

- m. Cause damage to public property or instigate or participate with any person, professor, official, functionary, or staff member to carry out conduct such as:
 - 1) Paint, print, mutilate, cause damage to walls, columns, floor, ceilings, roof, windows, doors, stairs, bathrooms elevators, workshops, classrooms, books, chairs, benches, amphitheatres, tables, fences, trees, ornamental fountains, of the School buildings, through the use of non-authorized installations, signs, posters, inscriptions, notices, spots, writings, tearing's, or any type of image, mark or drawing.

 - 2) Publish or diffuse obscene, impudic, or lascivious, materials in the Institution's facilities, or via electronic mail, or social networks, outside an academic context.

- n. Possess, traffic, transport or use firearms, as defined by the Law of Arms of Puerto Rico, posses, traffic, transport or use edge weapons that may cause serious body damage, within the facilities and dependencies of the School of Visual Arts and Design.⁵

- o. Disseminate or publish false information or libel about School functionaries, officials, professors, students, or staff members.

- p. Appropriate or commit fraud in the use and handling of students' funds, scholarships, or public funds.

- q. Be convicted of a crime under State or federal penal code.

- r. The commission of any act or omission typified by a state or federal law as a crime at the date it took place.

- s. Induce to or conspire with any person, professor, student, official, functionary or staff member, to subtract private property within the installations and dependencies of the School.

⁵ It is understood that as part of the art classes, the student may carry in his/her belongings, sharp objects such as blades, gouges, scissors, among others. Nonetheless, students should limit the use of these objects and/or tools, to its academic usage. Any threatening usage of the latters, can be interpreted as edge weapon.

- t. Damage, mutilate, destroy, and subtract, as well as use without authorization, equipment, books, works in progress, facilities, and/or materials belonging to the School, the Professors, or students.
- u. Damage, mutilate, destroy in any form the School property, including, computer equipment, its software, and operative systems.
- v. Block regular tasks, such as teaching, research, and administrative or official activities that are taking place within or outside the School installations, including students' assemblies.
- w. Block partially or totally, the free access and entrance of people from the School installations or classrooms, or buildings that are part of the School, as well as the vehicle transit inbound or outbound the School installations.
- x. Non- compliance with the sanctions applied for violation of the norms of these Regulations.
- y. Violate the norms established in these Regulations and having been sanctioned more than once, independently of whether the sanction was minor or serious.

Article 36. Authorship and Participation

Any student who participates directly in the conduct, object of disciplinary sanctions, will be responsible for violations to the norms of these Regulations, as well as those who force, provoke, incite or induce to commit them, as well as those who cooperate with actions that are previous, simultaneous or subsequent to the wrongdoing.

Article 37. Sanctions

Every student who incurs in a violation of the norms of conduct, rules, norms, orders, or other regulatory dispositions will be subject to a disciplinary procedure that could lead to the application of sanctions, in proportion to the seriousness of the fault.

Minor sanctions are as follows:

- a. Admonition or verbal or written reprimand.
- b. Probation for a definite period of time during which another violation of any other norm will have consequences of suspension or removal.

- c. In the case of members of the Students Council, the removal from the position in the Council will be considered, according to Article 30 of these Regulations, for a minor offense.

Serious offense sanctions are as follows:

- a. Suspension from the School for a definitive period of time, during which he/she will not be allowed to attend, maraud or enter the premises and dependencies of the School. The violation of the terms of the suspension will entail an increase of the period of suspension or the definitive removal from the School.
- b. Definitive Removal from the School.
- c. Prohibition to enter the School premises for a defined period of time.
- d. Compensate the School economically for the legitimate expenses it has spent on repairing the damage, or for the costs of the School's regular activity that was interrupted, blocked, disturbed or cancelled because of a non-authorized student activity, be it within the premises or School facilities or any other under its control or leasing.
- e. The sanctions established in the Institutional Policy of Drug Use and Alcohol Abuse, the Workshops Safety Regulations and the Policy on Sexual Harassment and Aggression, are applied.

Chapter VIII. On Disciplinary Procedures

Article 38. Disciplinary Committee

The Disciplinary Committee will be formed annually, at the beginning of each academic year. One (1) member of the Academic Council, who will preside over it, and one faculty member, both designated by the Chancellor; and the Vice-president of the Students' Council duly constituted, will form it. The works of the Disciplinary Committee will be ruled by what has been established in these Regulations. The Chancellor will cite the members of the Disciplinary Committee to the first meeting of the academic year no later than two weeks (2) after the beginning of the academic year. Two members will constitute quorum. In the first meeting, the secretary will be elected.

The Disciplinary Committee will preside over the disciplinary procedures, which entail the application of disciplinary sanctions of minor character and will present the Chancellor a report and recommendations, with factual analysis and factual conclusions

and the disciplinary measure, if it applied, that it deems necessary. In addition, in disciplinary proceedings, which entail the application of sanctions for serious offense, the Disciplinary Committee will evaluate the report and recommendation of the Official Examiner to the Chancellor and will be able to issue its own recommendation to the Chancellor.

Article 39. Disciplinary Procedures for Minor Offenses

Minor faults, or offenses, besides those defined in Article 34, are those that the student might commit which, in the judgment of the Dean of Academic and Students Affairs partially affect the institutional order and are not defined in these Regulations as minor offenses. This type of offense could be sanctioned through verbal or written admonishing and with the application of corrective measures.

Cases of violations to these regulations, that might entail the application of minor sanctions, will be started by the Office of the Dean of Academic and Students' Affairs via written notification, and will be taken care of by the Disciplinary Committee.

The Dean of Academic and Students Affairs Office will notify the student of the offense being accused of, in writing. The notice will be handed in in person, by certified mail with acknowledgement of receipt, and/or the electronic mail, provided in the student's record. The notice will include:

- a. A description of the actions imputed to the student;
- b. The regulatory norms that allegedly were violated;
- c. The likely minor sanctions against him/her;
- d. A summary of the evidence, the accusation stands on both, documentary and of witnesses;
- e. A warning to the student involved in the case, of his/her right to attend the hearing with a lawyer and to present evidence in his/her favor.

The notification will also be referred to the Disciplinary Committee for it to preside over the proceeding.

The proceeding will be informal and in a private meeting. The student involved will be offered an adequate opportunity to clarify the facts, offer an explanation, and present his/her defense. This meeting will be recorded.

Once the meeting is concluded, the Disciplinary Committee will deliberate and will notify its report and recommendation to, the student, the Deanship of Academic and Students Affairs and the Chancellor's Office. This report and recommendation shall include factual judgments and legal conclusions. The factual judgments will not be subject to modification except for the case where no support at all, is found in the evidence presented. The report and recommendations will also include the recommended sanctions, if any. Within thirty (30) days of the report and recommendations being notified by the Disciplinary Committee, the Chancellor shall approve or reject the report and recommendation via final resolution.

A notification will also be sent to the student involved, of his/her right to request reconsideration and/or revision, according to Article 42 of these Regulations.

A copy of the final resolution will be sent to the School's Registrar and it will be included in the student's record at the Registrar's Office.

Article 40. Disciplinary Proceedings for Serious Offenses

Serious offenses will be those committed by a student as identified in Article 35.

In those cases, the violations of these Students Regulations might entail the application of serious measures such as: suspension for a definite period of time, definitive removal, or economic compensation. The student will go under a formal disciplinary process before an official Examiner. The student will be notified in written of the offense he/she is accused of, with a specific reference to the regulatory norms that allegedly were violated and of the possible sanctions against him/her.

Article 40.1. Preliminary Investigation and Complaint

The Dean of Academic and Students Affairs will be able to start a preliminary investigation and subsequently start a disciplinary process motu proprio, or via written report by a School member of the Faculty, an official, an employee or a student, about any event that took place and is considered a serious fault.

The disciplinary process will start with a notification in writing, by the Dean of Academic and Students' Affairs of the case, to the student imputed. This notification will contain the following:

- a. The action that is being imputed;

- b. The norms allegedly violated;
- c. The possible serious sanctions against him/her;
- d. A summary of the evidence, both documentary as well as of witnesses, that supports the imputation;
- e. The name of the official examiner who will be presiding the hearing;
- f. A warning to the imputed student of his/her right to attend the hearing with a lawyer and to present evidence on his/her favor.

The student will have thirty (30) days to present an answer to the imputations made against him/her.

The Dean of Academic and Students Affairs will proceed to refer the formal disciplinary proceeding to an Official Examiner, for him/her to preside over the administrative hearing.

The Official Examiner will proceed to notify the student about where to contact him/her, for motion presentation purposes.

Article 40.2. The Official Examiner

The Official Examiner will be able to hold hearings, listen to witnesses, receive motions or allegations, and carry out any other function necessary or convenient for the discharge of his/her responsibilities. He /she will be able to issue citations for the appearing of parties and witnesses. In case there is non-compliance of another requirement issued under these Regulations, the School will be able to present an auxiliary petition to the First Instance Tribunal with competence, so that the latter issues a judiciary order obliging the person involved to comply with such mandate, and under warning that it will incur in legal contempt if the order is not complied with.

Article 40.3. Discovery of Evidence

Every presentation of evidence in these proceedings, previous to the request in effect, should be carried out within a period of time that does not exceed thirty (30) calendar days after the complaint reply is notified. It will consist of:

1. List of witnesses who will be presented during the administrative hearing here explained.

2. Copy of every sworn statement in possession of the parties, concerning the facts under controversy, even if there is no thought of using them during the administrative hearing.

3. Every documentary and material evidence, including sworn statements, video recordings, audio recordings, photographs and any other material evidence, will be made available for its examination and copying. The cost of copies to be provided will be paid by the person requesting them; unless it is determined, that the student imputed lacks the resources to pay for those costs.

Article 40.4. Formal Administrative Hearing

The Official Examiner will hold a formal administrative hearing, for the record, in view of the submission of the complaint. The latter will be private and in presence of the student or students involved. Every student imputed will be notified the date and place of the formal administrative hearing, which could be attended in company of a lawyer.

The Dean of Academic and Students' Affairs or his/her representative, or lawyer should offer, at the beginning of such formal administrative hearing, all the evidence he/she obtained related to the commission of the alleged serious offense, including the presentation of all documentary and witnesses' evidence.

During the formal administrative hearing, there will be a chance to clarify the facts related to the offense that are imputed to the student; he/she in turn will have the chance to offer his/her version of the events, present evidence and establish his/her defense. The accused student will have the opportunity to testify, present witnesses' and documentary in his/her favor, of counter interrogation of charge witnesses and offer an explanation of the events. Evidence not presented during the formal administrative hearing will not be taken into consideration.

Such formal administrative hearing will be recorded, for the record, by whoever presides over it.

The Rules of Evidence will not be applicable to the formal administrative hearings, but the fundamental principles of evidence can be use to achieve a fast, fair and economical, resolution of the proceeding.

Article 40.5. Summary Resolution.

If the parties involved understand that it is not necessary to hold a formal administrative hearing, they may be able to request a final or partial summary adjudication, if the controversies are separable. The official Examiner will prepare a report with his/her recommendation around such petition, after analyzing the documents, which accompany such petition, as well as its opposition. No orders or summary resolutions could be issued if: 1) there are controvertible material of essential facts: 2) there are affirmative allegations in the complaint which have been questioned, 3) a real controversy arises about a material or essential fact related to the documents that accompany the complaint or the rebuttal, and 4) it does not proceed as a matter of legal procedure.

Article 40.6. Report and recommendation by the Official Examiner

The official Examiner will prepare a report which will include factual determinations and legal conclusions on the basis of the evidence presented in the hearing, as well as his/her recommendations. The factual determination by the Official Examiner will be final and definitive if supported by the evidence in the record.

The Official Examiner's report should be completed within a term of thirty (30) calendar days, after the case have been submitted for his/her decision, unless with the consent of all parties, or a justifiable cause, this term is renounced or extended.

The Official Examiner shall immediately send the report to the Disciplinary Committee and to the Chancellor. The Disciplinary Committee will have ten (10) days for evaluating the report and recommendation by the Official Examiner and notify the Chancellor of its own recommendation. The Chancellor will have fifteen (15) days after receiving the Disciplinary Committee recommendation, to consider the report of the Official Examiner and issue a final Resolution.

The notification of the final resolution will inform the imputed student of his/her right to request a reconsideration and/or revision according to Article 42 of these Regulations.

A copy of the final resolution will be sent to the School's Registrar and will be included in the student's record at the Registrar's Office.

Article 41. On Summary Suspensions

The chancellor will be able to, without previous hearing, suspend any student; if he/she understands that, the student's presence in the School's installations represents an

imminent risk against the order, the security of people, or the property within it. The decision issued to those effects, should contain a clear statement of the facts, the norms of law applicable, the circumstances or reasons that justified it, and a warning to the effects that the student could attend if accompanied by a lawyer, and present a defense. The content of the notification of the summary suspension could be added to the notification of a formal proceeding for serious offences. The summary suspension will be enforced at the moment of being delivered to the student in person, by certified mail with acknowledgement of receipt and/or electronic mail, to the address found in the student's record.

After the summary suspension has been issued, according to the Regulations, an informal hearing should be granted that should be held within five (5) workday's days after the summary suspension has been notified. The Dean of Academic and Students Affairs' Office or his/her representative and or lawyer will represent the School at the informal hearing. The hearing will be held before the Disciplinary Committee, and will have the purpose of giving the student information on the evidence that supported the summary suspension and giving an opportunity to present his position and present any pertinent proof to refute the precautionary measure. The disciplinary Committee should present the Chancellor with a report about the hearing, including his/her recommendations, within a term no longer than seventy two (72) hours after the hearing.

If after receiving the Disciplinary Committee's report, the Chancellor determines that the summary suspension should be held in place, the latter will be kept in effect until the formal disciplinary process is resolved in final form. The hearing corresponding to the formal proceeding should be held according to what has been established in Article 39 of these Regulations. Nonetheless, the summary suspension will not be extended for more than six (6) months.

Article 42. Reconsideration and Revision

The student affected by a disciplinary process, independently of its nature, will be able to present a request for a reconsideration of the Resolution before the School Board of Directors within the following twenty (20) days after receiving the notification so that if the latter considers it appropriate, it revokes, modify or in any form alter the latter within the following fifteen (15) calendar days of receiving the reconsideration petition. If the Board of Directors does not act within the term provided, it will be understood that the request for reconsideration has been flatly rejected. The reconsideration will be a jurisdictional requirement for the presentation of a revision request. If it were flatly rejected or was not acted upon, within fifteen (15) days, the term for requesting a revision will begin to run again, after the denial took place or since the fifteen (15) days, according to the case.

If a determination was taken in consideration, the term to request revision will begin to be counted since the date in which the notification resolving definitely the motion of reconsideration. Such resolution should be issued and notified within the ninety (90) days following the presentation of the motion of reconsideration. If the Board of Directors, receives the motion of reconsideration, but decides not to take action in relation to the motion within the ninety (90) days of it being presented, it will lose jurisdiction over it and the term to request the judicial revision will begin to count after the expiration of the ninety (90) days, unless the agency for fair cause, and within those ninety (90) days, extends the term for resolving for a period that will not exceed thirty (30) additional days.

The notification of the order or resolution by the Board of Directors shall be made in person, via certified mail with acknowledgement of receipt, and/or electronic mail.

Article 43. On Disciplinary Records

The disciplinary records, as well as academic records, will be confidential and will be kept separately. The information in the academic and disciplinary records will not be available for examination by people alien to the institution or non-authorized functionaries or employees of the School, without written consent from the student, except for a judicial order to that respect.

Students will be able to examine their academic and disciplinary records together with an authorized School functionary, after a request in writing to the Dean of Academic and Students' Affairs.

Article 44. On Probations and Academic Suspensions

Every student who does not comply with the Norm of Satisfactory Progress, will be placed under academic probation or suspended from classes for a definite period of time, according to what has been stated in the Academic Catalogue.

The Registrar's Office will in writing, notify every student, on the determination to place him/her under probation or academic suspension. The letter will be sent via certified mail with acknowledgement of receipt to the student. It is the student's responsibility to report to the Registrar, changes in his/her mail address, telephone or any other form of contact.

The credit transcript the Registrar's Office issues to students, be them student copies or official transcripts, will include the student academic status at the moment of its issuance.

Every student has the right to appeal the suspension decision through an exposition of the circumstances that affected his/her academic advancement. The circumstances that are considered critical and mitigating for such appeal, as well as the proceeding, are detailed in the Academic Catalogue.

Chapter IX. Amendments and Update

Article 45. Separability of Articles, Clauses or Sections

If any article, part, clause, section or incise of these Regulations were refuted before a tribunal with competence in Puerto Rico's General Justice Tribunal System or competent authority, and for such reason the impugnation of such part were declared without force or validity, such judicial determination will only affect the article, part clause, section or incise, that was object of the impugnation, without the validity of the remaining parts of these Regulations.

Article 46. Amendments

The process of amendments to these Students Regulations is processed via petition to the Board of Directors, through the Office of the Dean of Academic and Students Affairs.

- 1) Students will be able to present amendments, as long as they count with the approval of the Students' Council. The petitions for amendments from the part of the students should be backed in assembly.
- 2) The Chancellor of the School will be able to present amendments directly to the Board of Directors.

The Board of Directors will be able to amend these Students' Regulations, in attention to the faculty and authority it has been conferred in Article 4, incise (c) (5), of Law 225 of December 17 2015.

Article 47. Revision

These Regulations should be revised every two (2) years, after the date of approval.

Article 48. Immediate Validity

These Students Regulations, once approved, by the Board of Directors, will have immediate validity. The Board of Directors will issue a Certification to that effect.

Upon these Students Regulations being enacted, any other previous regulations are derogated in all its parts.

Date

August 9, 2019