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Secretary of State

[signature]

Department of State

Government of Puerto Rico

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Board of Postsecondary Institutions

REGULATIONS FOR THE LICENSING OF POSTSECONDARY
EDUCATION INSTITUTIONS IN PUERTO RICO

Approved through Cert. No. 2021-053
Repeals Regulation No. 8265 of October 9, 2012 and the
Regulation No. 8562 of February 24, 2015



I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

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CHAPTER I
GENERAL PROVISIONS

The Board of Postsecondary Institutions (JIP, Spanish acronym), hereinafter the “Board,” within the Department of State, with decision-making autonomy, created by virtue of Reorganization Plan No. 6-2018 (Plan or PR-6) and the Educational Institutions Registration and Licensure Act (Act No. 212 of August 12, 2018), is the body responsible for administering public policy on the licensing criteria for postsecondary education in Puerto Rico, within the regulatory framework established by the Plan and Act No. 212-2018. Among its main powers, the Board is responsible for issuing licenses to all postsecondary education institutions seeking to operate in Puerto Rico, evaluating license amendments requested by institutions, considering accreditation results in the licensing process, preserving and safeguarding student transcripts from institutions that cease operations, and developing information systems that allow for the collection and dissemination of reliable information about educational institutions in Puerto Rico, among other duties.

In accordance with the public policy set forth, the Government of Puerto Rico has the responsibility to foster and promote the educational diversity offered to citizens at all levels, from basic to postsecondary. Additionally, it is responsible for ensuring that Educational Institutions operating under its jurisdiction comply with established standards. The role of the State should not be directive; but rather, the Government should act as a facilitator to encourage the emergence and development of new educational offerings necessary for the comprehensive development of the populace, while ensuring that the education provided meets the needs of its recipients.

The Board recognizes the significance of the mission of postsecondary education institutions and the importance of fulfilling their obligations to the students and communities they serve, ensuring that their educational offerings meet the needs of Puerto Rican society. It also acknowledges the importance of diversity in postsecondary education and that institutions develop in an environment of essential freedom, constant readaptation, and openness to change and individual initiatives.



The Board enacts this Regulation with the purpose of establishing the norms and processes that shall govern the licensure of postsecondary education institutions in Puerto Rico.

Article 1 - Title

This body of rules shall be known as the "Regulations for the Licensing of Postsecondary Institutions in Puerto Rico."

Article 2 - Legal Authority

This Regulation are promulgated under the authority conferred by Reorganization Plan No. 6-2018 and Act No. 212-2018, as well as in accordance with Act No. 38-2017, as amended, known as the "Government of Puerto Rico Uniform Administrative Procedure Act" (LPAU, Spanish acronym).

Article 3 – Priority of Provisions

The rules that shall govern the field of postsecondary education in Puerto Rico shall have the following order of precedence:

- a. Reorganization Plan No. 6-2018;
- b. Act No. 212-2018, the Educational Institutions Registration and Licensure Act;
- c. Act No. 38-2017, Government of Puerto Rico Uniform Administrative Procedure Act, as amended;
- d. Regulations for the Licensing of Postsecondary Institutions in Puerto Rico;
- e. Rules on Adjudicative Procedures before the Board of Postsecondary Institutions;
- f. Resolutions of the Board of Postsecondary Institutions as evidence through the appropriate certifications;
- g. Guidelines approved by the Board of Postsecondary Institutions to advise on the discharge of certain duties under the previous authority sources;
- h. Generally accepted standards of the university and professional community in the various academic fields and disciplines.



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To the extent reasonable and convenient, the particular characteristics and needs of the academic community in question and the Puerto Rican society in general shall be considered during the evaluation process when applying the various licensing criteria.

Article 4 – Severability

The provisions of this Regulation are severable and if one or more of them is held to be void, such holding shall not affect the remaining provisions, which may be applicable regardless of said holding.

Article 5 – Prior Rules Repealed

This Regulation repeals the Regulation for the Licensing of Higher Education Institutions in Puerto Rico, No. 8265 of October 9, 2012, and the Regulation for the Licensing of Basic Education Institutions in Puerto Rico, No. 8562 of February 24, 2015, regarding postsecondary education institutions, approved under the Reorganization Plan No. 1 of July 26, 2010, as amended. Any regulatory provision, certification, procedure, guide, norm, or other action of a regulatory effect that is taken, adopted, or promulgated by the Puerto Rico Education Council that is inconsistent with this Regulation is hereby expressly repealed. The Board shall establish a transition process for pending matters.

Article 6 - Interpretation and Matters Not Provided For

Section 6.1 - Interpretation

The provisions of this Regulation must be interpreted in accordance with its purposes and the set of rules that comprise it, in accordance with the public policy set forth in Reorganization Plan No. 6-2018 and Act No. 212-2018. The interpretations made by the Board shall be published through the appropriate resolutions issued by this Body.

Section 6.2 - Matters Not Provided For

The resolutions issued by the Board in accordance with Act No. 212-2018 shall govern any matters or issues not provided for in this Regulation but that are covered under said Act.

Article 7 – Amendments to the Regulations

This Regulation may be amended, in whole or in part, by the Board of Postsecondary Institutions abiding by the provisions of Act No. 212-2018 and Act No. 38-2017, as amended.



Article 8 – Effectiveness

This Regulation shall take effect thirty (30) calendar days after its filing date with the Department of State. The effective date of any amendment thereto shall be determined in accordance with the procedures established in the LPAU.

Article 9 – Scope

Section 9.1 – General Application

The rules herein shall apply to any natural or juridical person, or any group thereof, that operates as a postsecondary institution within the territorial limits of Puerto Rico and offers, or in any manner, states, promises, advertises, or expresses its intention to award degrees, diplomas, certificates, titles, or other types of official academic awards herein deemed to be postsecondary education, regardless of the place where they are offered. Moreover, it shall be understood that an institution operates in Puerto Rico when it has physical presence in the jurisdiction of Puerto Rico, as defined in this Regulation.

Section 9.2 – Exemptions

The Board shall not exercise jurisdiction over non-university religious programs, nor military facilities, provided that these comply with the provisions of this Regulation. It shall be the responsibility of the exempt institution to inform and advise candidates, students, and public in general about the nature and scope of the degrees and credentials awarded thereby. These institutions shall apply for their exempt status and are required to comply with the notice and fulfill the requirements of Section 9.3 of this Regulation.

The Board shall not exercise its jurisdiction over training programs, workshops, seminars, talks, short courses, or professional betterment and training courses which do not result in the awarding of a postsecondary level diploma or certificate, in accordance with the definition of Article 10 of this Regulation. Moreover, it shall not exercise its jurisdiction over the continuing education courses of the various occupations or professions, or over the preparation courses for the exams administered by Examining Boards, or over any other similar courses.



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Section 9.2.1 – Non-university Religious Programs

This Regulation shall not apply to the courses or programs for non-university religious degree programs and courses whose only purpose is to train students to hold positions or to discharge religious or denominational functions for which they were trained and that do not entail the awarding of a university degree.

Section 9.2.2 – Military Facilities

This Regulation shall not apply to the offerings of institutions located within Armed Forces of the United States of America military facilities in Puerto Rico offering educational services towards awarding a higher education degree; provided, that such institutions only work with students who are in active duty.

Section 9.2.3 – United States Institutions that are members of the State Authorization Reciprocity Agreement (SARA)

This Regulation shall not apply to United States Institutions that are members of the State Authorization Reciprocity Agreement (SARA) in their jurisdiction of origin and are interested in offering online courses and programs for students who are Puerto Rico residents. Foreign or United States institutions that are not SARA members, but are interested in offering courses or programs to students who are Puerto Rico residents shall comply with the licensure procedure provided in this Regulation.

Section 9.3 – Notice of Exempt Institution or Program: Religious or Military

In order to protect the public interest and the jurisdiction of the Board, those institutions deemed to be covered under any of the exemptions provided in Act No. 212-20018 and Section 9.2 of this Regulation, shall provide the Board with the following information:

- a. Name of the institution;
- b. Street, mailing, and electronic address of the institution;
- c. Name of the chief officers;
- d. Mission of the institution;
- e. Name of the accreditation entity and effectiveness of the accreditation; and
- f. Titles of the academic offerings.



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The Educational Institutions Registration and Licensing Office (ORLIE, Spanish acronym) shall analyze the furnished information to verify the exempt nature of the institution and its academic offerings, and shall submit its recommendations to the Board. The institution shall be responsible for advising candidates, students, and public in general about the nature and limited scope of its operations as well as the degrees and credentials awarded thereby.

Article 10 – Definitions

The terms defined herein and any variations thereof shall have the meaning stated hereinbelow, and for purposes of the implementation of this Regulation, unless the context clearly indicates otherwise. The terms, words, phrases, and other expressions used in this Regulation, in the documents of the Board and the ORLIE, in connection therewith, that are not expressly defined in this Article, shall have their usual meaning within the academic community, as appropriate.

1. Accreditation - Means a voluntary process whereby an educational institution receives the official recognition of an accrediting entity duly recognized as such by the United States Department of Education, , as the case may be, that distinguishes said institution or a specific program thereof which, according to the academic community, performs at a level or is of a quality and integrity higher than that required to hold a license.
2. Approval – Means an action taken by the Board or the Office as a result of the verification or favorable evaluation of a license application and amendment, or a report.
3. Bachelor’s Degree – Means a degree higher than an associate’s degree, which can be in Science (BS), in Arts (BA), or other specialized area.
4. Academic Calendar – Means the period in school days between the start and the end of an academic year.
5. Significant Change - Means certain actions taken by the institution that, even if they do not warrant a license amendment nor need the adjudication or approval of the Board, entail institutional changes which must be notified to the Board.



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6. Substantial Change - Means any action taken by an institution constituting a modification or alteration to its structure, academic offering as authorized in the license, or in the manner and scope of its operations, which is not authorized, considered, or foreseen in the license that allows it to operate in Puerto Rico.
7. Certificate – Means an official recognition that requires having completed an organized program of study with a defined curricular structure.
8. Graduate-level University Certificate - Means an official recognition whose curriculum structure consists of Master’s or Doctoral level courses.
9. Undergraduate-level University Certificate - Means an official recognition whose curriculum structure consists of Associate’s or Bachelor’s degree level courses.
10. Technical Certificate – Means an official recognition that requires having completed a non-university program at the technical-vocation postsecondary level geared to learning an occupation. The program must comply with the federal regulations as to the minimum number of credits. In cases where the federal regulations are not applicable to the program, the latter must consist of at least 300 contact hours.
11. Classification of Instructional Programs Code (CIP Code) – Means the code developed by the National Center for Education Statistics of the United States Department of Education to provide a taxonomic scheme that supports the accurate tracking, evaluation, and reporting of fields of study and program completions activity.
12. Evaluating Committee – Means a group of evaluators constituted by professionals and specialists designated by the Educational Institutions Registration and Licensing Office to advise during the analysis of an application for a license, a license renewal, or a license amendment, and others matters brought to its attention.
13. Major – Means a set of courses, subjects, or educational offerings within a program at the Bachelor’s Degree, organized so as to grant to the person who



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completes it a right to be awarded an official academic recognition from the institution that offers it.

14. Award Degrees in Puerto Rico – Means the degrees, certificates, titles, or other official academic recognitions awarded by an institution authorized to operate in Puerto Rico to any person who completes the courses of a program of study, regardless of the physical location of the person.
15. Consortium – Means a collaboration agreement or covenant between postsecondary education institutions and other entities.
16. Control over the Operation – Means the power to direct the administration and formulation of the policies of a postsecondary institution, whether through rights acquired as a shareholder, under a contract, or any other legally recognized manner.
17. Evaluation Criteria – Means the various criterions to be considered by the Board, as established in Act No. 212-2018 and this Regulation, when evaluating license application and amendments submitted by the institutions.
18. Short Course – Means a set of classes or academic activities offered to develop specific skills for a profession or occupation that are counted toward awarding a degree as defined in this Regulation.
19. Department - Means the Department of State of Puerto Rico created under Section 6 of Article IV of the Constitution of July 25, 1952, which is responsible for promoting cultural, political, and economic relationships between Puerto Rico and foreign countries as well as other jurisdictions of the United States of America. Moreover, it discharges various administrative duties.
20. Diploma – Means a formal document issued by a recognized institution certifying that a person has completed a study program.
21. Director of the Office – Means an official who directs the Educational Institutions Registration and Licensing Office and is responsible for planning, organizing, and directing the general operations of the Board, supervising support staff and distributing work among them, coordinating all administrative matters of the



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Board with the Department; acting as a liaison between the Secretary and the Board; managing financial assistance programs to provide aid to students who show need or academic excellence and thus receiving, safeguarding, and administering funds; preparing and submitting any requested reports to the Board or the Secretary; notifying the Board's decisions; issuing certifications stating the Board's determinations, among other things, and keeping a record thereof; developing processes to carry out the functions set forth in this Act in the most appropriate and efficient manner possible, as well as any other function or duty assigned or delegated thereto by the Board or the Secretary.

22. Curriculum Design – Means a schematized document presenting the essential, general, and core courses for a complete academic program.
23. Doctorate - Means the highest academic degree awarded by a university or institution of higher education. This degree has a high level of contribution to a field of knowledge or profession.
24. Owner - Means any natural or juridical person or group thereof that owns or exercises control over the operation of a postsecondary educational institution in Puerto Rico.
25. Distance Learning (Online) - Means a study modality in which the student and the teacher are in different physical locations. Learning is highly planned and requires special techniques for course design, teaching, and communication between the student and the teacher. Students use different support systems compared to on-campus students and are in a non-institutional environment most of the time while performing their academic activities. The teaching-learning process can be asynchronous or synchronous, utilizing information and communication technologies, which may include but are not limited to: Internet; one-way and two-way transmissions via open broadcast, closed circuits, cable, microwave, broadband lines, fiber optics, satellite, or wireless communication devices; audio conferencing; or video tapes, DVDs, and CD-ROMs. An academic offering shall be



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considered distance learning if 50% or more of the courses are offered in this modality.

26. Postsecondary Vocational-Technical Education (VTP) or Non-university Postsecondary Education - Means an Educational level that provides a formal education program whose curriculum is designed for students who have completed the fourth year of high school, or its equivalent; however, it is of a non-university nature.
27. License Amendment - Means a modification to a license whereby the Board allows education institutions to make a substantial change, as defined in the act and in this regulation.
28. Professional School – Means a teaching unit organized either as a separate institution or as part of a higher education institution, but with an independent curricular structure for studies leading to one or more degrees in specific professions, such as law, medicine, among others.
29. Specialty - Means a set of courses, subjects, or educational offerings within a graduate program, organized in such a way that it allows those who complete it to receive official academic recognition from the institution.
30. Economic Feasibility Study - Means an analysis conducted by a specialist in Economics, Finance, or Accounting that includes, among other things, the analysis of the demand and supply of the proposed educational service or program, available capital, sources of income and financing, necessary budget, and service costs. It must include a financial statement of the proposers and three (3) years of income and expense projections. This shall be required of private institutions as part of the license authorization applications.
31. Graduate Studies – Mean studies leading to the award of a degree or an official academic recognition beyond the Bachelor’s degree, from the Master’s to the Doctorate degree.



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32. Undergraduate Studies - Mean studies leading to the award of a degree or an official academic recognition from the Technical Certificate to the Bachelor's degree.
33. Evaluator - Means a professional or specialist in a defined area of knowledge, designated by the Office as a resource to assist in some stage of the evaluation work, to analyze, evaluate, and make recommendations on applications submitted by postsecondary institutions.
34. Faculty - Means the body of professors responsible for teaching in their respective disciplines, directing or participating in research projects and community service, in accordance with the mission and as established by the institution. The time devoted to tasks and responsibilities is in accordance with institutional policy.
35. Merger or Consolidation of Institutions - A merger occurs when one company or entity fully acquires another. The acquiring company or entity retains its name and identity and acquires the assets and liabilities of the acquired company or entity, which ceases to exist as an independent entity. A consolidation occurs when two or more companies or entities merge to create a new one, and the original entities cease to exist.
36. Degree - Means an educational credential recognized in the academic community as a postsecondary education level, which indicates that the holder has satisfactorily completed formal studies leading to the award of a Certificate, Associate's Degree, Bachelor's Degree, First Professional Level, Master's Degree, or Doctorate.
37. Associate's Degree - Means an undergraduate university degree that requires completing a program of studies organized in at least two (2) years, but less than four (4).
38. Religious Degree - Means a degree conferred within the context of a religion or religious sect with the specific purpose of preparing individuals to work in sectarian religious service, in ministerial services of the religion or sect itself, but



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not to hold positions or perform occupations outside the religion or sect towards which it is oriented.

39. Corrective Actions Report - Means a document required of an institution prior to the final determination of the Board to address issues raised about the evaluation process for an authorization license, a license renewal, or a license amendment.
40. Compliance Report - Means a document required by the Board from an institution when, after an evaluation, a license or an license amendment is approved, to show fulfillment of the requirements established in the Plan and this Regulation by a specific date.
41. Postsecondary Institution or Institution - Means a public or private educational institution, including institutions of higher education (university) and institutions that offer vocational-technical education (non-university).
42. Institution of Higher Education - Means a public or private university or educational institution whose admission requirements include a high school diploma or certificate, or its equivalent, and which academic offerings provide an educational program that is acceptable for full credit toward a college degree, whether an associate's degree or higher.
43. Postsecondary Vocational-Technical Education Institution (VTP) or Non-university Postsecondary Education Institution - Means an educational institution that offers a mainstream and technological curriculum intended for students who have completed the fourth year of high school, or its equivalent; however, these are non-university institutions.
44. Integrated Postsecondary Education Data System – Means a statistical data program about postsecondary education sponsored by the National Center for Education Statistics, pursuant to the National Education Statistics Act of 1994 (P. L. 103-382), also known as IPEDS.
45. Board (or JIP, Spanish acronym) - Means the Board of Postsecondary Institutions created by virtue of Reorganization Plan No. 6-2018 and Act No. 212-2018. It is constituted by five (5) members, one of which shall be its Chair, appointed by the



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Governor with the advice and consent of the Senate of Puerto Rico. They are empowered to implement the public policy on postsecondary institutions licensing in Puerto Rico, as provided in Reorganization Plan No. 6-2018 and Act No. 212-2018.

46. Act No. 38-2017 – Means Act No. 38 of June 30, 2017, known as the “Government of Puerto Rico Uniform Administrative Procedure Act,” (LPAU, Spanish acronym), as amended.
47. Act No. 212-2018 (or Act No. 212) – Means Act No. 212 of August 12, 2018, known as the Educational Institutions Registration and Licensure Act, as amended.
48. License - Means a permit issued by the Board to institutions, upon evaluation, to authorize them to operate as postsecondary education institutions in Puerto Rico.
49. Licensing or Licensure - Means the process whereby a Postsecondary Institution is authorized to operate in the jurisdiction of Puerto Rico, upon meeting the minimum requirements established in accordance with the public policy set forth in PR-6 and Act No. 212-2018, as provided in this Regulation.
50. Master’s Degree - Means a graduate-level program that can be in Arts (MA), Sciences (MS), or specialized fields (e.g., MBA, MEd).
51. Study Modality – Means the various teaching-learning methodologies in which an academic program can be offered.
52. Educational Levels - Means the various levels at which postsecondary education can be pursued according to the following progression: Technical Certificate, Associate’s Degree, Bachelor’s Degree, First Professional Level, Master’s Degree, and Doctorate. University Certificates are intermediate titles between the levels mentioned here.
53. Office (or ORLIE, Spanish acronym) - Means the Educational Institutions Registration and Licensing Office, an operational unit of the Department of State which provides support to the Board in the processing of license applications and matters under its jurisdiction.



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54. Academic Programs – Means a set of academic offerings for postsecondary education approved for a given institution and included in the license granted thereto in accordance with Act No. 212-2018 and this Regulation.
55. Academic Offerings – Means any program, major, specialty, or any other academic designation that an institution proposes to announce or offer as a separate and predefined set of courses towards a degree.
56. Course Offering in Puerto Rico - Means the courses offered whether in person or through distance learning, toward the granting of or that can be credited to award official academic recognitions within the jurisdiction of Puerto Rico.
57. Operate in Puerto Rico - Means to offer, declare, promise, or express the intention to offer in Puerto Rico degrees or courses acceptable for full credit toward degrees, diplomas, certificates, titles, or other official academic recognitions of postsecondary education, even when these are awarded outside the Island. It shall be understood that an institution operates or has physical presence in the jurisdiction of Puerto Rico, when one or more of the following occur:
- a. a location is established in Puerto Rico where students partake in synchronous and asynchronous learning.
 - b. students are required to meet at a location in Puerto Rico for teaching purposes, more than once in an academic term or period.
58. Academic Period – Means the timeframe established by the institution for the offering of its courses. This can be a semester, trimester, quarter, or other timeframe defined by the institution.
59. Strategic Development Plan – Means an implementation program that determines the intended goals of the institution and how it intends to accomplish it. It should include the following elements, among others: goals, objectives, budget, other resources, compliance indicators (metrics), and execution dates.
60. Plan or PR-6 – Means Reorganization Plan No. 6 dated March 1, 2018, as amended, known as the “2018 Education Council Reorganization Plan.”



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61. PLEP (Spanish acronym for Postsecondary Education Electronic Platform) – Means the platform used by the Educational Institutions Registration and Licensing Office for processing all license applications and amendments from postsecondary education institutions.
62. Official Academic Recognition – Means a degree or other official credential indicating that the holder has successfully completed certain formal postsecondary education studies.
63. Regulation – Means the Regulation for the Licensing of Postsecondary Institutions in Puerto Rico.
64. Institutional Unit - Means a location where an Educational Institution offers an academic program, or courses, materials, or curriculum acceptable for full credit or credit-hours toward academic degrees. It may be known as:
- a. Campus - a unit of an educational system, which offers academic programs, has its own faculty and administrative and supervisory organization, has its own budget, and may have authority to hire or employ.
 - b. University College - a postsecondary education institution or unit that offers one or more associate's degrees and bachelor's degree programs in more than one discipline, occupation, or profession, with administrative and academic autonomy.
 - c. University Center - a unit of a higher education institution that offers academic degrees but does not have administrative or academic autonomy. In the case of university centers, it may be affiliated with a University System, composed of multiple units or with a particular academic unit of the System.
 - d. Extension Center - an institutional unit outside the main unit, but with the support thereof, that has no academic autonomy.
65. University - Means an Institution of Higher Education with academic offerings in arts and sciences, geared to the exchange of ideas to generate or promote practical and theoretical knowledge to allow for a transformation of the social,



economic, and political environment. Its academic offerings may include associate's, bachelor's, master's, and doctoral degrees, or graduate programs only.

Article 11 - Educational Institutions Registration and Licensing Office (ORLIE, Spanish acronym)

The Educational Institutions Registration and Licensing Office (ORLIE, Spanish acronym) is responsible for handling licensing matters for postsecondary educational institutions, as well as carrying out other functions as delegated thereto by the Secretary of State. ORLIE is tasked with conceptualizing, developing, and implementing the processes and procedures related to the licensing of postsecondary educational institutions in Puerto Rico.

Section 11.1 - Responsibilities of ORLIE

In accordance with Act No. 212-2018, this Regulation, and any directives issued by the Board and the Secretary of State, ORLIE shall be responsible for:

- a. Guiding educational institutions, the academic community, and the general public on the licensing provisions of Act No. 212 and this Regulation;
- b. Processing the evaluation of license applications and amendments from institutions starting or continuing operations in Puerto Rico;
- c. Handling the approval of amendments as delegated by the Board;
- d. Creating and maintaining an up-to-date pool of candidates for the designation of evaluators and members of evaluating committees to analyze license applications and amendments, as provided in this Regulation;
- e. Developing and recommending to the Board evaluation models, guidelines, and procedures necessary to ascertain compliance with Act No. 212 regarding the operation of postsecondary educational institutions in Puerto Rico, and implementing those adopted by the Board;
- f. Presenting to the Board the results of evaluations of license applications or amendments and any other matters related to educational institutions, as required;



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g. Acting as a liaison between institution representatives, evaluators, evaluating committee members, and Board members;

h. Notifying institutions of the Board's determinations regarding licensing matters, ensuring the due process of law applicable to each procedure;

i. Maintaining an up-to-date calendar of evaluations, report submissions, and other related events;

j. Keeping an updated record of the academic offerings of each postsecondary educational institution, indicating those that are active, on hold, and closed;

k. Issuing certified copies of transcripts for academic records under its custody, upon payment of fees, which shall not be less than \$5.00 per certification;

l. Establishing the rules and procedures for granting scholarships;

m. Delegating administrative processes to qualified officials or Evaluating Committees that do not require consideration by the full Board, provided that the Board adopts parameters for these delegations to avoid delays in procedures;

n. Informing Board members of foreseen or existing situations related to:

1. Special events affecting the continuity of an institution's operation, programs, or services with a license;

2. Institutions offering or announcing their intent to offer or award degrees, titles, or recognitions of postsecondary education programs without the required legal provisions;

3. Events that may affect the schedules of the procedures established in this Regulation, so as to enable it to make determinations and establish measures as necessary;

4. Referring potential violations of the Plan, Act No. 212, or the Regulations by institutions, or noncompliance with any duly notified Board decision, to determine the imposition of administrative sanctions;

o. Advising the Board on new developments, research, and advances in the field of evaluation, licensing in postsecondary education, and related areas;

p. Coordinating with postsecondary educational institutions that cease operations to ensure that the Department of State receives and keeps student transcripts;



q. Fulfilling any other responsibility or function as assigned in this Regulation, or by the Board or the Secretary of State.

Section 11.2 - ORLIE Officials

ORLIE officials shall review and analyze license applications and amendments submitted by institutions to ensure they comply with the information required in this Regulation and other related guidelines developed by the Board. As part of this process, any incomplete application shall be filed away.

Additionally, these officials may conduct evaluations assigned to them and recommend the designation of an evaluator or an evaluating committee to analyze an application, according to the criteria established in Act No. 212-2018 and this Regulation. These officials are responsible for maintaining professional communication channels with the institutions they serve, so as to ensure that the evaluation processes are conducted in accordance with the Board's criteria and jurisdiction.

CHAPTER II

RULES AND PROCEDURES FOR LICENSES AND AMENDMENTS

Article 12 - General Rule on the License Application

Any entity or institution interested in obtaining or renewing a license must submit the License Application four (4) months before the date it plans to commence operations or before the expiration date of the current license. The institution must submit the complete application with the supporting documentation and the corresponding payment as established in this Regulation. Once the Application is submitted, it shall be considered an official document that cannot be modified by the Institution during the evaluation process.

In the case of multiple institutional units with the same institutional name and owner, the institution shall submit a single application for Authorization License or License Renewal. This application must show integration and consistency regarding institutional academic policies and programs, as well as the particularity of each institutional unit and how it responds to the central administration of the institution.



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An institution that has not submitted its renewal application four (4) months before the expiration date of its license shall be deemed to be in violation of Act No. 212-2018 and this Regulation, and shall be subject to the imposition of sanctions and fines.

If the institution submits an incomplete application or if the documents do not pertain to the requirements, the application shall be filed away, and the payment made shall not be refundable. The institution must submit the application again with the pertinent payment.

In the case of renewal applications, if incomplete or the documents do not pertain to the required information, the application shall be returned, and a deadline shall be established to resubmit the application with the pertinent payment.

Any institution wishing for the Board to consider institutional accreditation for license renewal shall comply with the provisions of Act No. 212 and Article 22 of this Regulation.

Institution officials may meet with ORLIE staff prior to submitting a license application to clarify the content, focus, and procedures of the evaluation.

The Board must notify its decision on a license application within one hundred twenty (120) calendar days from the date the application was submitted. In the case of institutions with more than three (3) units, the periods may be extended by twenty (20) days, thus the decision of the Board shall be made within one hundred forty (140) calendar days. If the period expires and the Board has not made a decision, the requested license shall be deemed to be approved, and the evaluation process shall cease. However, the institution shall remain obligated to fulfill the responsibilities associated with holding the license. The Board shall retain the authority to verify compliance with these responsibilities at any time during the effective period of the license.

Institutions with due and payable outstanding debts to the Puerto Rico Education Council, the Board, or the Department shall not be able to submit any applications until these debts are paid.

Section 12.1 - Validity of the License During the Evaluation

If a license expires while the renewal process is underway, the Board shall deem the license to continue in effect under the established conditions until the process is completed.



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The determination of the Board on the license renewal request shall apply from the expiration date of the license.

Section 12.2 - License Application Fee

All license applications must be enclosed with the payment for the pertinent fee. The license application for Institutions of Higher Education shall have a base fee of \$5,000, for one unit, and \$1,000 for each additional institutional unit included in the application. For Postsecondary Technical- Vocational institutions, the license application shall have a base fee of \$1,000 and an additional \$1,000 for each institutional unit included in the application. The fee for a submitted application shall be nonrefundable. However, a 50% credit shall be granted when resubmitting the same application. The Institutions of Higher Education of the Commonwealth shall be exempt from the payment provided in this subsection.

Section 12.3 - Evaluation Costs

The Department of State shall cover transportation, per diem, and other reasonable expenses incurred by evaluators during the application evaluation process through a stipend payment. In cases where the payment for the evaluation of the process applies, the Board, through certification, shall determine the payment amount for the evaluators, in accordance with applicable regulations, circular letters, or policies.

Section 12.4 - Other Evaluation Costs

The applicant institution must cover transportation, per diem, lodging, and other reasonable expenses for the evaluators and/or ORLIE officials during the process of visiting the institution, when necessary to ensure the fulfillment of the requirements. The travel expense regulations applicable to the Department shall be used.

Section 12.5 - Generated Funds

The revenues from license applications and substantial changes processed by ORLIE, income from fines imposed under Act No. 212-2018 and this Regulation, as well as income from debts owed to the former Puerto Rico Education Council, shall be maintained and accounted for separately from other funds and used for expenses related to updating the resources of the Office.



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Section 12.6 - Institutions with Distance Learning and Other Teaching- Learning Modalities

When it comes to institutions offering distance learning or other teaching- learning modalities, evaluations shall be conducted by adjusting regulatory criteria and requirements to the specific situation. It is the responsibility of the institution using such modalities to ensure that its schemes are subject to evaluation by the Board, so that this body can determine whether the institution complies with the provisions and meets the requirements established in this Regulation. The institution shall be required to provide the Office with access to the platform used to offer the courses during the evaluation process.

Section 12.7 - Ongoing Duty to Inform

The institution has the ongoing duty to inform any substantial and significant changes as well as other events that affect the scope of its operation and the terms of the license that has been granted to said institution. Additionally, it has the duty to submit additional documentation to the one required herein as pertinent to the licensing process and necessary for the Board to effectively discharge the responsibilities imposed thereon by Act No. 212 and this Regulation.

Section 12.8 - Documents to be Submitted Annually by the Institution

The documents included in this section must be filed by the institutions with the Office during the month of January of each year, and updated annually, if necessary. Said documents must be filed electronically. The Office shall keep them in a general file for each institution and accessible to ORLIE officials for licensing evaluations and other official matters. The institution has the duty to notify any changes or modifications to these documents when they occur.

The documents to be filed annually are:

- a. The catalog of the Institution;
- b. Audited or reviewed financial statements, as applicable;
- c. Annual certifications on the existence of the Registry of fraternities, sororities, or associations, as required by Act No. 179 of June 30, 1999, as amended;
- d. Certification of Compliance with the Bullying and Cyber-bullying Protocol;
- e. Liability insurance;



f. Certification of nonduplicated institutional enrollment signed by the Registrar for institutions that do not report their enrollment to IPEDS.

Article 13 - Procedure for Requesting a License Amendment

Section 13.1 - General Rule on Amendment Requests

Amendments are classified as either institutional or programmatic. The Board may determine the periods per year in which programmatic amendments shall be submitted. Requests outside these dates shall not be accepted. These periods do not apply to institutional amendments as outlined in Article 25.

Incomplete requests or requests enclosing documents that do not pertain to the requirement shall be filed away, and the payment made shall be nonrefundable; however, a 50% credit shall be granted when resubmitting the same request. The institution must submit the request again with the pertinent payment.

License amendments shall be processed administratively by the Office without the need for approval by the full Board if so delegated. In the case of a denied request, the decision shall be made by the Board.

The Office must notify its decision on a amendment request within the term of one hundred twenty (120) or one hundred forty (140) calendar days (as applicable) from the date the request was submitted. If this term elapses without a decision by the Office or the Board, the requested amendment shall be deemed to be approved, and the evaluation process shall cease. However, the institution remains obligated to fulfill the responsibilities associated with holding the license. The Board, in turn, retains the authority to ensure compliance with these responsibilities at any time during the license validity period.

Section 13.2 - Fees for Amendment Requests

The submission of amendments shall require a payment for each request as set by the Department in this Regulation. The Institutions of Higher Education of the Commonwealth shall be exempt from the payment provided in this section.

Section 13.2.1 - Institutional Amendments

- a. Postsecondary institution with higher education offerings (university level)

The following institutional amendments shall have a fee as indicated:



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Institutional Amendments	Fee
i. Establishment of a new institutional unit, additional location, or extension center:	\$3,000 + \$1,000 per higher education program
ii. Change in the name of the institution or any of its units:	\$1,000
iii. Change of ownership and control of the operation:	\$1,000
iv. Merger or consolidation of postsecondary institutions licensed by the Board	\$1,000
v. Moving or expanding units included in the license:	\$3,000
vi. Closure of the institution or any of its units:	\$1,000

Postsecondary Institution with Only Technical-Vocational Academic Offerings (Non-University)

Institutional amendments shall have a fee of \$1,000:

Institutional Amendments

- i. Establishment of a new institutional unit
 - ii. Change in the name of the institution or any of its units
 - iii. Change of ownership and control of the operation
 - iv. Merger or consolidation of postsecondary institutions licensed by the Board
 - v. Moving or expanding the institution or any of its units
 - vi. Closure of the institution or any of its units
- b. Postsecondary Institution with both University and Non-University Offerings

The institution with academic offerings at both university and non-university levels shall be subject to the fee established in Section 13.2.1.a for institutional amendments.

Section 13.2.2 - Programmatic Amendments

- a. Postsecondary Institution with higher education offerings (university level)



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The following amendment shall have a fixed fee of \$1,000:

- i. Change in the name of an academic offering: \$1,000

The following amendments shall have a fee based on the nonduplicated enrollment reported to IPEDS or certified by the Registrar for those not reporting to IPEDS, according to the following formula:

$(OA \times MND) + (\# U \times \$500)$

Table of Institutional Enrollment Level

AO = Academic Offerings

Level	Nonduplicated enrollment	Fee
I	Up to 1,000	\$1,000
II	1,001 - 2,000	\$2,000
III	2,001 and above	\$3,000

NDE = Non-Duplicated Enrollment

U = Units, locations, or centers

Programmatic Amendments

i. Creation of new academic offerings, regardless of the teaching- learning modality

ii. Change in the teaching modality of an academic offering

iii. Start of an academic offering in a unit different from the one previously approved

- During a specific fiscal year (June 1 to June 30), the IPEDS base to be used is the enrollment reported in the previous fiscal year, which in turn includes the nonduplicated enrollment (MND) from the previous year to the IPEDS report.
- The fees for amendments may vary from one fiscal year to another depending on the nonduplicated enrollment reported by the institution to IPEDS.
- Any changes made by the institution in the IPEDS report of the current fiscal year must be notified to ORLIE.
- When the creation of a new academic offering entails a change in the academic level of the institution from Non-University to University, an additional fee of \$1,000 shall apply.

a. Postsecondary Institution with only VTP Academic Offerings (Non-University) Programmatic amendments shall have the following fees:

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Programmatic Amendments	Fee
i. Creation of new academic offerings regardless of the teaching-learning modality: \$1,000 per unit	\$1,000 per unit
ii. Change in the name of an academic offering	\$1,000
iii. Change in the teaching modality of an academic offering	\$1,000
iv. Start of an academic offering in a unit different from the one previously approved	\$1,000 per unit

- When the creation of a new academic offering entails a change in the academic level of the institution from Non-University to University, an additional fee of \$1,000 shall apply.

b. Postsecondary Institution with Both University and Non-University Offerings

The fee for programmatic amendments shall depend on the level of the proposed academic offering. If the proposed academic offering is at the university level, Section 13.2.1.a shall apply. If the proposed academic offering is at the non-university level, Section 13.2.2.b shall apply.

Section 13.3 - Complementary Actions

At any time during an evaluation or in the discharge of its functions, in accordance with the powers and duties assigned thereto by the Act, the Board may request additional information from an institution or send an ORLIE official, an evaluator, or members of the Evaluating Committee to examine one or more aspects in accordance with its relevance and its jurisdiction. In either case, the institution shall be notified, and it shall collaborate with the action been carried out. Refusal by the institution to collaborate or to allow access to the officials designated by the Board may be deemed to be sufficient cause for the imposition of sanctions, in accordance with the provisions of this Regulation.



Article 14 - Board Decision and Applicable Terms

Section 14.1 - General Rule

The Board shall approve a license application or an amendment request when the institution proves that all regulatory requirements were met. When deemed necessary by the Board, it may require the institution to submit Corrective Action Reports, Compliance Reports, and/or Verification Visits. Upon receiving the corresponding reports, the Board or the Office, as appropriate, shall proceed to make a decision regarding the requested license or amendment. Any determination issued by the Board regarding licensing or amendment procedures shall be notified to the interested party, and a record of such procedure shall be kept.

Article 15 - License Denial

The Board shall deny in whole or in part any license application or amendment request if the institution does not meet the requirements of Act No. 212-2018 and this Regulation. The denial shall be subject to the provisions of this Article and to the adjudicative procedures provided in accordance with Act No. 38-2017, as amended, and the regulations established by the Board for such purposes.

The Board must state the grounds therefor in writing, and inform the institution of its right to request judicial review, upon exhausting all administrative remedies, in accordance with the provisions of Act No. 38-2017, known as the “Uniform Administrative Procedure Act of the Government of Puerto Rico.”

Section 15.1 - Actions that by themselves May Constitute Grounds for License or Amendment Denial, Imposition of Fines, or Both

- a. To provide the Board with false or misleading information in applications, documents, and reports;
- b. To offer false or misleading information to active or potential students, or the public in general, regarding the operation or offerings of the institution;
- c. To obstruct or refuse evaluation or verification visits; fail to submit documents and information as required by the Board, the Evaluating Committee, and ORLIE officials;



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- d. To implement one or more substantial changes without obtaining the Board's approval;
- e. To commit any legally punishable action, fraud, or deceit against the public interest;
- f. To not comply with or substantially violate the terms of the license or any provision of the Act or this Regulation;
- g. To exhibit improper conduct towards Evaluators or ORLIE officials during the evaluation process;
- h. To have a history of conviction of the institution's main officials for actions related to the operation or administration of a postsecondary education institution or having a history of noncompliance with regulations established to operate an educational institution;
- i. To be convicted of a felony or for actions involving moral turpitude, when it is thus proven in the appropriate administrative or judicial forums, and the person convicted is a chief officer or owner of the institution.

Section 15.2 - Consequences of Denial

- a. The denial of an Application for an Authorization License means that the applicant institution cannot begin operations or advertise its academic program in Puerto Rico as a postsecondary education institution.
- b. The denial of an amendment means that the applicant institution cannot implement or advertise the proposed change.
- c. When denying a License Renewal Application, the Board shall indicate the date on which the institution must cease operations. If the institution challenges the determination of the Board, in accordance with the adjudicative procedure established, during this process and until the decision becomes final and binding, the institution may continue with the previously authorized academic offerings but must refrain from enrolling new students. During this period, the Board shall not process amendment requests from the institution. If, after exhausting the review procedures, the Board reasserts its denial determination, the closure process of the institution shall be governed by the provisions of this Regulation.
- d. If it is a partial denial of a license or amendment due to noncompliance with evaluation criteria by one of the institutional units or regarding specific academic offerings,



the determination shall apply to that unit or academic offerings, and the institution may continue its operation in those units indicated in the certification issued by the Board.

Article 16 - Imposition of Conditions on a License

When dealing with license renewal applications and the institution does not meet a criterion, the Board shall require the institution to submit Corrective Action Reports within a period not to exceed six (6) months. If, upon evaluating the Report, the Board determines that the deficiencies noted have not been corrected or are not in the process of being corrected, it shall proceed to deny the request in whole or in part, as appropriate. The institution affected by the imposition of conditions may challenge them using the adjudicative procedures established by the Board.

Article 17 - Suspension, Cancellation, or Modification of License

The Board may suspend, cancel, or modify the license of any institution that fails to comply with the provisions included in the license issued by the Board, the requirements established in the Act, and this Regulation. Such determination entails that the affected institution shall cease operations, either temporarily or permanently, in the units or regarding the academic offerings affected thereby.

Before the suspension, cancellation, or modification of a license, the Board shall grant the institution a period of six (6) months to correct the deficiencies by submitting Corrective Action Reports. If the deficiencies are not corrected in accordance with the Regulation, the suspension, cancellation, or modification of the license shall be justified. The institution may challenge the decision in accordance with the adjudicative procedures established by the Board.

If, after the corresponding process, the Board determines that the total or partial suspension, cancellation, or modification of the license is warranted, it shall notify the institution in writing. The institution must suspend operations in the areas affected by the suspension on the established date. It may resume operations later if it shows to the satisfaction of the Board that it is entitled to have its license reactivated. The institution may challenge this determination in accordance with the adjudicative procedures established by the Board.



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The suspension of the license entails losing the powers conferred by the Board for a specific period, provided that cause is shown therefor, after the due administrative and legal procedure.

The cancellation applies to institutions that maintain a valid license and have been shown to have violated the Act, this Regulation, or the terms and conditions under which the license was issued, upon the due administrative and legal processes. Cancellation entails the cessation of the validity of the license and the powers conferred by the Board at the time it was issued.

Modification arises from the noncompliance by the institution with the provisions included in the certification issued by the Board. This entails a change in the terms or conditions, concerning the unit or academic programs, whereunder a certification was issued.

Section 17.1 - Notice to the Institution

Following the determination by the Board regarding the specific action taken regarding the postsecondary education institution:

1. The Board shall notify the concerned postsecondary education institution of its determination in accordance with the provisions of the LPAU. The order or resolution must separately include the findings of fact, if they have not been waived, and conclusions of law that justify the adjudication.
2. The order or resolution shall advise the right to request reconsideration before the Board or to file a notice of appeal as a matter of law before the Court of Appeals, as well as the parties that must be notified of the notice of appeal, stating of the appropriate terms.
3. The Board shall notify the institution of the order or resolution as soon as possible and must file a copy of the final order or resolution and proof of notice in the records.
4. The Board may hold an adjudicative hearing at its discretion or at the request of the affected party.
5. All the above shall be carried out in accordance with the provisions, terms, and requirements established for such purposes in the Uniform Administrative Procedure



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Act of the Government of Puerto Rico (Act No. 38-2017), as amended, and the procedural regulations adopted by the Board.

Section 17.2 - Consequences of Operating without a License

Any natural or juridical person who operates an educational institution in Puerto Rico without the appropriate license or in violation of any of the articles of this Regulation, commits an administrative offense and may be subject to the imposition of a sanction, fine, or both.

CHAPTER III EVALUATION CRITERIA

Article 18 - General Rule

To obtain the license and operate in Puerto Rico, the postsecondary educational institution must show compliance with the evaluation criteria established in Act No. 212-2018. The evaluation conducted by the Board shall take into consideration the reasonable realities and expectations of Puerto Rican academia and society, as well as the particular nature of the evaluated institution, its offerings, its educational philosophy, mission, and purposes, as stated by the institution itself. In the evaluation of applications to amend licenses, the applicable criteria for each case, as provided in Chapter VI of this Regulation, shall be used.

Article 19 - Evaluation Criteria

It shall be the responsibility of the institution applying for a license or requesting an amendment to show the Board that it meets the established criteria. Compliance must stem from the information and documentation submitted with the application and from the evaluation conducted on these criteria, according to the applicable procedure.

Section 19.1 - Mission and Institutional Name

There is alignment between the official and legal name of the institution, its mission, and its academic programs, scope, and level. It uses the name that is legally recognized and appropriate for its nature and the level of its offerings. The academic offerings and the teaching- learning model are consistent with the mission of the institution. The institution must show that:



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- a. The mission is the foundation for the development of the academic offerings and activities of the institution;
- b. The institutional mission is approved by the governing body of the institution;
- c. The legally recognized name of the institution is appropriate to the nature and level of its offerings and clearly indicates that the primary purpose of the institution is education;
- d. The institution and its institutional units identify themselves with the name recorded in the records of the Boards, especially in the use of terms like university or university- related terms, in a manner that is not misleading to the public.

Section 19.2 - Organizational Structure

The organizational structure is consistent with its particular institutional philosophy and educational methodology. Additionally, the structure responds to the mission of the institution and is consistent with its operational reality. Likewise, the experience and academic credentials of the administrators align with the type, mission, and purpose of the institution. The institution must show that:

- a. The institution or its owners are registered to do business in Puerto Rico;
- b. The organizational chart is consistent with the operational reality of the institution and the type of organization;
- c. It has professional, administrative, and technical staff to fulfill the mission, academic levels, educational methodology, enrollment, schedule, programs, and the academic profile of its student body;
- d. The professional, administrative, and technical staff have the academic and professional credentials to fulfill their functions, as defined by the institution;
- e. It maintains updated information on the administrators, Governing Body, chief executive, and other officials of the institution;
- f. The teaching administrators have the time and resources to fulfill their functions and stay current in their field.

Section 19.3 - Academic Offerings

The study programs are supported by institutional commitment in all aspects of their educational, academic, fiscal, and administrative environment. The programs are based on



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a planned design consistent with the selected teaching- learning methodologies, study modalities, and academic periods. Additionally, they demonstrate articulation with the knowledge, skills, and attitudes intended for students to acquire. The institution must show that:

a. The academic programs are operationally articulated with strategic plans, goals, procedures, academic development, and institutional infrastructure;

b. The total and proportion of credits required for degree completion correspond to established practices in postsecondary institutions (e.g., general education, core courses, concentration or specialty courses, electives, thesis or others), or any other course classification model identified by the institution;

c. The graduate profile is defined in harmony with the academic level, objectives, and competencies of the program;

d. Each course syllabus shows consistency among its components:

- i. Title, Coding,
- ii. Credit Hours or Contact Hours,
- iii. Description,
- iv. Objectives,
- v. Content,
- vi. Learning Strategies,
- vii. Resources and Technologies,
- viii. Evaluation Measures,
- ix. Textbook and Bibliography/References.

e. For offering distance learning programs:

- i. Distance education policy, including aspects for verifying student identity;
- ii. Modules (course design on the platform).

f. In programs aimed at preparing graduates for the exercise of a profession or occupation regulated by law in Puerto Rico, it is evidenced that graduates shall have completed the necessary academic requirements to be eligible for admission to professional or occupational licensing exams, or to receive the appropriate credential;



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g. It has mechanisms to establish protocols for the protection of research participants;

h. It has a manual or guide for practicum or internships that includes: criteria for selecting clinical centers or workshops for practicum or internships; standards and procedures, and evaluation methodologies for supervising educational experiences;

i. It has a thesis or dissertation manual and guidelines for any other degree requirement;

j. It establishes agreements or contracts with practice centers or clinical workshops to carry out the required practicums and internships;

k. It has and enforces standards on academic performance and progress, class attendance, and expected student conduct, applicable to the different academic levels it offers;

l. It has and disseminates a course validation policy that facilitates the transfer of students to and from other institutions. This policy stipulates the minimum number or percentage of credits a student must complete at the institution to complete the degree;

m. It has a policy that guarantees students can complete their degree in case of a moratorium, program closure, or institutional or unit closure;

n. It has a policy to ensure the continuity of academic offerings to complete the degrees offered, according to the curricular sequence and within the established time for the student to complete the program while maintaining satisfactory academic progress.

Section 19.4 - Academic Credentials and Professional Experience of Faculty

The institution has faculty with the academic credentials and professional experience required to teach the assigned courses at the appropriate academic level and consistent with its mission and programs offered. The faculty aligns with the nature, teaching- learning model, program levels, degrees, and courses, as well as enrollment projections and the profile of admitted students, according to the different modalities offered. In the case of professions or occupations regulated by law, the faculty must hold the professional license for the profession or occupation. For higher education levels, it is also required that professors have a degree higher than the level they teach and related to the



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subject they teach. The analysis shall consider those emerging disciplines, occupations, and professions where there is no higher degree than the one intended to be taught. The institution must show that:

a. The teaching staff has academic preparation for the level, discipline, and concentration or specialty of the courses they teach, namely:

i. Technical certificate in the occupation or subject to offer technical-vocational courses; in cases where the certificate is related to an occupation with university degrees, a minimum of an Associate Degree shall be required;

ii. Bachelor's Degree to teach Associate Degree level courses and their concentration or academic preparation in the area of the courses they teach;

iii. Master's Degree to teach Bachelor's Degree level courses and their specialty or academic preparation in the area of the courses they teach;

iv. Professional or Doctoral Degree to offer Master's level courses and the specialty or preparation related to the courses they teach;

v. Doctoral degree and professional experience in the field or discipline related to the program area, to offer doctoral level courses.

b. It has mechanisms to evidence the validity and equivalence of the academic degrees obtained by the faculty, especially from foreign educational institutions.

c. It shows that the faculty holds current credentials and licenses required by law for professions or occupations regulated in Puerto Rico, for teaching and supervising courses that prepare students for these, when applicable;

d. It has professional development plans aimed at keeping the faculty trained and updated in line with the development of disciplines and the areas of knowledge related to the institutional academic offering and the methodologies used for its offering and administration.

Section 19.5 - Information Resources

The institution has the necessary information resources to support the study programs it offers in accordance with the needs of the users and the mode in which the institution offers its study programs. The types of services vary according to the educational



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community it serves and the mode in which it offers its study programs. The institution must show that:

- a. The goals, objectives, and information services of the library or information resource center are defined and respond to the needs of users in the various study programs;
- b. It allocates the necessary budgetary resources to ensure that the services meet institutional objectives, study programs, and technological and information trends;
- c. It has a general and updated collection according to its development plan to achieve the objectives of its academic offerings;
- d. It has professional, administrative, and technical staff with the necessary academic preparation and experience to perform their functions;
- e. It has the necessary technological infrastructure to guarantee users quick and secure access to institutional networks and other electronic networks and services, including the Internet;
- f. It has an information competency development program integrated into the curriculum and the resources necessary for its implementation;
- g. It offers reference and consultation services, help and instruction in the use of electronic media and equipment, and computerized bibliographic and information services;
- h. It establishes a schedule for the library or information resource center that meets user demand, and the quality level of service is consistent with course programming;

Section 19.6 - Student Services

The institution provides services to students and has adequate staff, policies, and procedures to offer them. These services are consistent with the teaching- learning modality and contribute to the achievement of its mission. The institution must demonstrate that it has adequate staff, policies, and procedures to offer student services, including, but not limited to, academic counseling; as well as employment guidance for graduates. The institution must comply with all state and federal laws related to student services. The institution must show, as applicable, that:

- a. It has an academic advising program according to the needs of the students.



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b. It offers a professional counseling services program with staff that have the academic and professional credentials required by law.

c. It maintains a registrar's office whose primary function is to safeguard the academic records of students (active and inactive) and issue certifications of courses taken and degrees awarded.

d. It keeps records of the financial transactions of students, including payments for tuition and other concepts made by each student, as well as any refunds made.

e. It provides students with information about the availability of jobs in areas related to their study program.

f. It provides remote support and information systems to help students carry out their academic activities, as well as use the resources available to them.

g. It has health services or emergency protocols available for its students.

h. It has staff available to provide services at convenient times for students.

i. It has a plan to provide reasonable accommodation for students who request it and to facilitate access for students with special needs to institutional facilities and activities.

j. It adopts and disseminates student affairs procedures.

k. It implements internal procedures to receive, investigate, and resolve complaints from its students and alumni.

l. It has adequate administrative systems and resources to offer financial aid services to students.

m. It complies with the following Acts:

i. Management of social security number security in the institutional setting, in accordance with Act No. 186-2006;

ii. Protection measures for students activated by the United States Armed Forces and the Puerto Rico National Guard, in accordance with the provisions of Act No. 109 of 2003;

iii. It maintains a registry of fraternities and sororities or associations of any type authorized in each institutional unit in accordance with Act No. 179-1999, as amended;

iv. It has and applies a protocol for suicide prevention in accordance with Act No. 227-1999;



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v. Protection of confidentiality and access to student academic records information (FERPA Act);

vi. It has and applies a policy and protocol against bullying, harassment, and intimidation among students in accordance with Act No. 87-2017, as amended;

vii. It has a Manual of Procedures for the Implementation of the Postsecondary Reasonable Accommodation Passport Act (Act No. 250-2012).

viii. Any other legislation that provides thusly.

n. Academic Records

i. The institution has adequate mechanisms to provide its students with transcripts of their academic records in accordance with the norms and fees it adopts, and to protect the confidentiality and security of the records;

ii. The records contain the necessary information to verify and transcribe the academic work performed by each active or inactive student;

iii. The transcript is issued on security paper and contains at least the following information:

1. Name and address of the institution and the institutional unit where the studies were carried out;

2. Full name and address of the student;

3. Student status;

4. Identification number assigned by the institution;

5. Record of courses in which the student enrolled and the final result of their performance;

6. Record of validated courses, credits, or experiences;

7. Study program and approved courses;

8. Grades obtained and progress index according to the institution's grading norms;

9. Certificates, degrees, credentials, or other official academic recognitions conferred;

10. Seal and signature of the official authorized to issue it.



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iv. It establishes rules on the preservation and custody of student transcripts and maintains permanent records of the academic work of students in a place duly safeguarded against theft, fire, floods, misuse, and other risks to their security and integrity;

v. It maintains a digitized or microfilmed copy of the academic records of students;

vi. It has a policy on the safeguarding of academic records of students aimed at the perpetual conservation of transcripts and maintains a backup system of these and evidences the place of safeguarding.

Section 19.7 – Admissions

The admission process and requirements are consistent with the mission, the program objectives, and the teaching-learning modality of the institution. The institution must show that:

a. It establishes the specific and applicable academic and technological admission requirements for each program or discipline, considering the modality in which it is taught;

b. It maintains records of how each student met the established admission requirements;

c. It verifies the validity of the high school diploma. In the case of institutions with an accelerated modality, the institution verifies that it fulfilled the requirements established in Act No. 212-2018;

d. It informs admission candidates and its students of the registration dates, all charges, fees, and monetary deposits related to the programs, courses, laboratories, internships, and other offerings and services of the institution. The information should include the rules on cancellations and refunds and the policy on changes in charges and fees.

Section 19.8 - Financial Capacity and Economic Solvency

The institution has the ability to obtain financing and meet economic commitments in the short, medium, and long term. It also has the necessary fiscal resources to guarantee operational and academic continuity, fulfill its mission and obligations to students, and support its strategic development plan. The institution must show that:



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a. It has a strategic development plan that includes: goals, objectives, budget, other resources, compliance indicators (metrics), and execution dates according to the needs, nature, and size of the student body and institutional characteristics. Additionally, it has operational and financial plans for the recruitment and hiring of faculty and other human resources necessary for the implementation of its academic programs, as well as for the maintenance and replacement of technology equipment for learning, technology infrastructure, and laboratories. This plan must be accompanied by a budget for a period of three (3) years that supports the activities included in the plan;

b. It submits annually to the Board audited financial statements together with the Compliance Report or Single Audit Report, not later than six (6) months after the end of its fiscal year for for-profit institutions, and nine (9) months for non-profit institutions; for those institutions not required to submit a Compliance Report or Single Audit Report, they may submit reviewed financial statements prepared by a Certified Public Accountant (CPA). In the case of institutions with gross income of less than three (3) million dollars per year and not participating in federal programs, they have reviewed financial statements prepared by a Certified Public Accountant (CPA);

c. It maintains active liability insurance, with an insurance company approved by the Commissioner of Insurance of Puerto Rico, to cover the risks of bodily harm to persons visiting its premises, buildings, and other structures. The coverage shall be not less than five hundred thousand dollars (\$500,000.00) per individual case and one million dollars (\$1,000,000.00) per incident;

d. For the authorization license, an economic feasibility study conducted by a specialist in Economics, Finance, or Accounting shall be required, including, among other things: analysis of the demand and supply of the proposed educational service or program, available capital, sources of income and financing, necessary budget, and service costs. It must include a financial statement of the proponent or entity submitting the application.



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Section 19.9 - Physical Facilities, Equipment, Laboratories, and Safety for the Academic Community

The institution possesses adequate facilities to ensure the health and physical safety of the academic community and complies with all required permits from relevant agencies. The facilities are suitable for the number of enrolled students and services offered by the institution. Additionally, the institution provides a library or information resource center, laboratories, and/or workshops with the necessary equipment to support the courses and academic programs offered. These laboratories comply with local and federal laws and regulations and have the corresponding permits. The institution must show that:

a. It maintains an active plan aimed at providing adequate security on its premises for students, university staff, and visitors;

b. It complies with the standards and regulations of various municipal, state, and federal agencies with jurisdiction, particularly those related to the health and safety of users concerning structures, buildings, facilities, and premises;

c. It provides sufficient facilities to house classrooms, library areas, laboratories and workshops, offices, and other areas, in harmony with the academic programs and instructional modalities offered;

d. It has the appropriate facilities and required permits to offer lodging and food services, if applicable;

e. It maintains updated plans validated by the relevant agencies for the protection of laboratories and scientific research conducted therein or in other institutional locations or dependencies, including contingency plans for natural disasters and other fortuitous or foreseeable events;

f. It has the necessary and appropriate physical facilities to offer laboratories or practical sessions associated with courses that require them;

g. The laboratories have adequate equipment and materials for use, resources, and safety equipment, comply with the laws and regulations of federal and state agencies, and maintain valid corresponding permits;



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h. It has the infrastructure, technologies, support systems, and programs appropriate for the course content, expected learning outcomes, and academic management effectiveness, and maintains valid licenses for their use;

i. It presents adequate administrative procedures and clear guidelines for the operation of laboratories, technology services in support of learning, and infrastructure technologies;

j. It has the necessary technical staff with the required academic preparation and experience to supervise the laboratories;

k. It has the necessary administrative, professional, and technical staff to provide technology services in support of learning and vital infrastructure for teaching;

l. It has a plan for the replacement and maintenance of learning technology equipment, infrastructure technology, and laboratories;

m. It establishes schedules for laboratories and technology services in support of learning and infrastructure that meet the needs of students and faculty;

n. It advises students and faculty on the use of learning technologies and infrastructure technologies.

Section 19.10 - Guarantees of Civil Liability, Publications, and General Disclosure Statements

The institution provides accurate and truthful information in its publications, catalogs, regulations, and in the promotion of its academic offerings, as well as in other statements or announcements disseminated to the public about its nature, services, and offerings. The institution has institutional regulations related to academic affairs, student affairs, administrative affairs, and fiscal affairs. Additionally, it must show that:

a. It has and disseminates an Institutional Catalog, a copy of which must be submitted electronically to the Office each time it is revised. This publication must be valid for at least one year and kept updated. The Catalog constitutes the commitment between the institution and the student. It must contain essential information, considering the study modalities in which programs are offered:

1. Validity;



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2. Mission and purposes;
 3. Names of key officials and governance structure, including the description and nature of the institution;
 4. Licenses and accreditations, and their validity;
 5. Non-discrimination policies;
 6. Physical address, postal address, and phone numbers of each institutional unit;
 7. Protocols for handling complaints, rights violations, information and academic records management, and appeals procedures;
 8. Admission and graduation requirements for the institution and the programs;
 9. Academic offerings for each academic unit, as approved by the JIP; description and number of credit hours or contact hours of all programs, majors, specialties, and courses;
 10. Faculty roster;
 11. Tuition costs, required student fees, and policies on changes to these costs; cancellation and refund policies for tuition payments and other payments made by students to the institution;
 12. Credit validation and transfer policies and procedures;
 13. Description of student services to support their academic offerings.
- b. The content is true and free of misleading or exaggerated information regarding the institution, staff, academic offerings, and services provided;
- c. It adheres to standards of integrity and ethical conduct that serve as an example to its students and the Puerto Rican community in general;
- d. It honors the charges, fees, or monetary deposits for tuition during the academic period for which the student enrolled, as published;
- e. It advertises only those programs approved by the Board and uses the titles as stated in the corresponding certification;



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f. It clearly establishes a nondiscrimination policy against any person based on birthplace, gender, race, ethnicity, social condition, physical disability, political ideas, or religious beliefs;

g. The name of the institution and its institutional units is as recorded with the Board, especially in the use of terms like university, campus, college, or others that tend to be associated with the nature or level of institutional offerings;

h. Announcements present the full name of the institution in the same format, design, and size so that it does not mislead;

i. It claims to have the endorsement, support, or recommendation of individuals or entities only when documented in writing with the signature of the individual or representative of the entity concerned;

j. It indicates the type of license (authorization or renewal) granted by the Board;

k. It uses the term accredited or any of its derivatives only if it has recognition issued by an accrediting agency recognized by the U.S. Department of Education or the equivalent body in other countries and indicates the official name of the accrediting agency. If it is a professional accreditation, it must indicate the accredited program(s) and the specific name of the accrediting agency. Additionally, institutional or programmatic accreditation must be consistent with the license in terms of location and title of academic offerings;

l. It promises the granting of scholarships or other financial aids only when the institution can guarantee their award;

m. It states that the credits of its academic programs are accepted by other institutions only if formal agreements exist to that effect;

n. Admission requirements for programs include the modality in which they are offered, academic and technological requirements, and any other program- specific requirements.



CHAPTER IV
AUTHORIZATION LICENSE

Article 20 - General Rule

Section 20.1 - Concept

This Regulation applies to any natural or juridical person interested in operating a public or private postsecondary institution that requires a high school diploma or its equivalent for admission, with academic offerings ranging from technical-vocational certificates (non-university) to university levels, from associate degrees to doctorates. For this purpose, the certification issued by the Board shall explicitly state the name of the institution, its units and geographic location, the academic offerings, the educational methodology, and the effective term of the license.

Evaluations shall be conducted in the context of projected institutional goals and objectives, accompanied by appropriate action plans to achieve them. The license shall be granted for a term of five (5) years and cannot be transferred, assigned, or conveyed without the authorization of the Board. The license shall be renewed every five (5) years.

The Board shall approve a license application when the institution shows that it has met all regulatory requirements. In cases where the Board deems it necessary, it may require the institution to submit Corrective Action or Compliance Reports, or conduct verification visits.

The Board shall deny any license application, in whole or in part, if the institution fails to meet the requirements of Act No. 212 of 2018 and this Regulation. The total or partial denial of a license application shall be subject to the provisions of Article 18 on denials, and to the adjudicative procedures provided in accordance with Act No. 38-2017 and the regulations established by the Board for such purposes.

Once it holds the Authorization License, the institution shall have the continuous obligation to comply with the requirements established by the Act and this Regulation, to inform the Board about changes that may affect the scope of the license, and to submit the documentation required to carry out the necessary evaluations and keep the file updated.

Section 20.2 - Content of the Application for an Authorization License



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All Applications for an Authorization License must be submitted in full through the electronic platform, along with the corresponding payment, four (4) months before the projected date of commencement of operations. The required documents indicated in each criterion, showing compliance, must be submitted.

Section 20.2.1 - Mission and Institutional Name

a. Mission, vision, goals, and objectives of the institution;

b. Evidence of authorization to do business in Puerto Rico:

1. In the case of an incorporated entity, the Good Standing Certificate issued by the Department;

2. In the case of an unincorporated entity or individual, Certification from the Puerto Rico Department of the Treasury or another governmental entity stating that the entity and its owners or individuals are authorized to do business in Puerto Rico (e.g., Merchant's Registration Certificate), as applicable;

c. When the required document in the previous section reflects inconsistency in the name of the educational entity, a document from the Department of the Treasury validating that the entity or individual operates as a D/B/A (Doing Business As) shall be required.

d. In the case of a public institution, to present the Act or Resolution from the appropriate Governing Body showing that it is an established public legal entity.

Section 20.2.2 - Organizational Structure

a. List of the proposed administrators and members of the Governing Body (if applicable, identify the position they hold) of the institution, including for each:

i. Name, completed academic degrees;

ii. Professional experience;

iii. Position they shall hold and office to which they shall be assigned; and

iv. Description of their duties and responsibilities.

b. Description of the governance structure and organizational chart identifying the names of the officials;

c. List of the institutional regulations related to administrative standards, policies, and procedures.



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Section 20.2.3 - Academic Offerings

- a. Description of the proposed academic programs, including:
 - i. Title and CIP Code of each program,
 - ii. Mode of instruction in which it shall be offered,
 - iii. Credit hours or contact hours,
 - iv. Academic term,
 - v. Description of each program,
 - vi. Admission requirements for the institution and the program,
 - vii. Graduation requirements,
 - viii. Curriculum design and sequence,
 - ix. Program objectives,
 - x. Alignment of the alumni profile with the courses of the program,
 - xi. Description of the laboratories associated with the program and inventory of the equipment and materials,
 - xii. Databases and information resources that support the program.
- b. In the case of programs aimed at preparing graduates for professions or occupations regulated by law, accurate identification of the applicable law and regulations, and information on how the proposed academic offerings respond thereto.
- c. Syllabi of all courses in the submitted programs, including for each:
 - i. Title, Code,
 - ii. Credit hours or contact hours,
 - iii. Description,
 - iv. Objectives,
 - v. Content,
 - vi. Learning strategies,
 - vii. Resources and technologies,
 - viii. Evaluation measures,
 - ix. Textbook and Bibliography/References.
- d. For the offering of distance education programs:



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- i. Distance education policy, including aspects of student identity verification;
- ii. Modules (course design on the platform) for the courses proposed to be offered in the first six (6) months of each program and the first two (2) that shall be offered in the major or specialty, and
- iii. Plan for the development of the remaining modules.
- e. Letters of agreement with practicum centers, if applicable;
- f. Copy of the Practice Manual, if applicable;
- g. Copy of the Thesis/Dissertation Manual, if applicable;
- h. Guidelines for comprehensive exams or other degree requirements, if applicable;
- i. List of institutional regulations related to academic standards, policies, and procedures.

Section 20.2.4 - Academic Credentials and Professional Experience of Faculty

- a. Information about the experience and credentials of the faculty grouped by program of study, including the following:
 - i. Name, completed academic degrees,
 - ii. Institution and year of obtaining each degree,
 - iii. Professional experience,
 - iv. Credentials required for the profession or occupation for teaching and supervision,
 - v. Titles of the courses they could teach.
- b. Letters of intent from the proposed faculty;
- c. Institutional policy on the professional development of the faculty, by program of study;
- d. Description of the mechanisms established to verify the validity and equivalence of academic degrees obtained by the faculty, especially those from foreign higher education institutions.

Section 20.2.5 - Information Resources

- a. Description of information resources, including:



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- i. Goals and objectives of the library or information resource center,
- ii. Description of the services and the hours they are offered,
- ii. Professional, administrative, and technical staff available,
- iii. Description of the technological infrastructure for accessing information,
- iv. Description of the physical space,
- v. Information access policy,
- vi. Information competency program, and
- vii. Interlibrary services policy.

b. Evidence of budget projections for a period of three (3) years, ensuring information and academic technology services.

Section 20.2.6 - Student Services and Admissions

a. Description, hours, and means of dissemination of the following services, taking into account the particularities of the students it aims to serve or serves:

- i. Admissions,
- ii. Professional counseling,
- iii. Health services or emergency protocol,
- iv. Financial aid,
- v. Registrar's office,
- vi. Employment guidance for candidates for graduation, and
- vii. Other services.

b. General regulations or student manuals, including institutional standards, policies, or procedures in accordance with applicable state and federal laws, as indicated in Section 19.6.m of this Regulation;

c. Proposed model of the student's transcript.

Section 20.2.7 - Financial Capacity and Economic Solvency

a. Economic feasibility study conducted by a specialist in Economics, Finance, or Accounting that includes, among other things: analysis of the demand and supply of the educational service or proposed program, available capital, sources of income and



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financing, necessary budget, and costs of services. It must include a financial statement of the applicant or entity submitting the application;

b. Detailed budget including income by sources and expense details and assumptions used for its preparation, for a period of three (3) years including the year in which the license is applied for;

c. Strategic development plan for a period of three (3) years describing the projected development of the institution and academic offerings including budget items to support such a plan; and

d. Letter of intent to acquire liability insurance, with an insurance company approved by the Commissioner of Insurance of Puerto Rico, to cover the risks of bodily injury to people who visit its premises, buildings, and other structures. The coverage shall be no less than five hundred thousand dollars (\$500,000.00) per individual case and one million dollars (\$1,000,000.00) per incident.

Section 20.2.8 - Physical Facilities, Laboratories, Equipment, and Security for the Academic Community

a. Description of the institutional physical facilities, including plans or schematic sketches of them;

b. In case of lease, include a copy of the contract;

c. Permits for physical facilities issued by the pertinent agencies:

i. Use Permit issued by the former Office of Regulation Administration (ARPE) or the state or municipal Permit Management Office (OGPe, Spanish acronym);

ii. Fire Department Permit;

iii. Health Department Sanitary License;

iv. Any other applicable permit according to the academic offerings of the institution.

d. Description of the laboratories;

e. List of technical staff supporting the laboratories, including, as applicable:

i. Name, academic preparation,

ii. Type of license held with its number and expiration date, if applicable,



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- iii. Position held and
- iv. Service hours.
- f. Manuals or guides for the operation of the laboratories;
- g. Institutional safety plan that includes a validated evacuation plan for emergencies and disasters;
- h. Plan for the maintenance and replacement of laboratory equipment;
- i. Plan for the protection of laboratories and research.

Section 20.2.9 – Guarantees of Civil Liability, Publications, and General Disclosure Statements

- a. Models of announcements about the academic program and services to students;
- b. Non-discrimination policy in employee hiring practices and student admission;
- c. Proposed catalog of the institution.

CHAPTER V

LICENSE RENEWAL

Article 21 - General Rule

Section 21.1 - Concept

This Regulation applies to any natural or legal person interested in continuing to operate a postsecondary educational institution, public or private, that requires a high school diploma or its equivalent for admission, with academic offerings leading from technical-vocational certificates (non-university) to university levels, from associate degrees to doctorates. For this purpose, the certification issued by the Board shall indicate in a clear manner the name of the institution, its units, and geographical location, academic offerings, educational methodology, and the effective term of the license.

The evaluation context shall be the analysis of the development of the institution concerning the previous licensing process. The license shall be granted for a term of five (5) years and may not be transferred, assigned, or conveyed without the authorization of the Board. The institution must apply for renewal four (4) months before its expiration. The Board shall approve a license renewal application when the institution shows that it has met with



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all regulatory requirements. In cases where the Board deems it necessary, it may require the institution to submit Corrective Action or Compliance Reports or conduct verification visits.

The Board shall deny any license application, in whole or in part, if the institution fails to meet the requirements of Act No. 212-2018 and this Regulation. The total or partial denial of a license application shall be subject to the provisions of Article 15 on denials and the adjudicative procedures provided in accordance with Act No. 38-2017 and the regulations established by the Board for such purposes.

Section 21.2 - Contents of the License Renewal Application

All license renewal applications from institutions must be submitted in full via the electronic platform along with the corresponding payment four (4) months prior to the expiration of the license. The institution must submit the documents indicated for each criterion, showing compliance.

Section 21.2.1 - Institutional Mission and Name

- a. Mission, vision, goals, and objectives of the institution.

Section 21.2.2 - Organizational Structure

- a. List of administrators and members of the Governing Body (if applicable, identify their positions) of the institution, including for each:

- i. name, academic degrees completed,
- ii. professional experience,
- iii. position held and office to which they are assigned, and
- iv. description of their duties and responsibilities.

- b. Description of the governance structure and organizational chart identifying the names of the officials;

- c. List of institutional regulations related to rules, policies, and administrative procedures.

Section 21.2.3 - Academic Offerings

- a. Academic offerings of the institution, including:



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i. Academic offerings recognized in the current license and subsequent certifications, number of credits for each offering, certification number issued by the Board or the Council, and its status;

ii. List of programs placed in moratorium or closure since the last Renewal License, certification number issued by the Council or the Office, and the effective date of the moratorium or closure.

b. In the case of programs aimed at preparing graduates for professions or occupations regulated by law, accurate identification of the applicable law and regulations, and information on how the proposed or existing academic offerings comply therewith;

c. List of institutional regulations related to norms, policies, and academic procedures, including the distance education policy.

Section 21.2.4 - Academic, Professional Credentials, and Faculty Experience

a. Information on the experience and credentials of the faculty, grouped by department or school, including:

i. name, academic degrees completed,

ii. institution and year each degree was obtained,

iii. professional experience,

iv. credentials required by the profession or occupation for teaching and supervision.

Section 21.2.5 - Information Resources

a. Description of the information resources, including:

i. description of the services and their operating hours,

ii. professional, administrative, and technical staff available,

iii. description of the technological infrastructure for accessing information,

iv. name and description of the available databases, and the validity of their licenses,

v. information access policy,

vi. information competency program, and

vii. interlibrary services policy.



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Section 21.2.6 - Student Services and Admissions

a. Description, operating hours, and dissemination methods of the following services, considering the particularities of the students served:

- i. admissions;
- ii. professional counseling;
- iii. health services or emergency protocols;
- iv. financial aid;
- v. registrar's office;
- vi. collections;
- vii. employment orientation for graduates; and placements;
- viii. academic advising;
- ix. other services.

b. General regulations or student manuals, including institutional rules, policies, or procedures, in compliance with current state and federal laws as indicated in Section 19.6m of this Regulation;

c. Sample of the student transcript.

d. Policy on the safeguarding of student academic records aimed at the perpetual preservation of transcripts.

Section 21.2.7 - Financial Capacity and Economic Solvency

a. Detailed budget including income by sources and expense details and the assumptions used by the institution for its preparation, for a period of three (3) years including the year in which the license is requested;

b. Strategic development plan for a period of three (3) years describing the projected development for the institution and the academic offerings, indicating the budget items to support the plan;

c. Audited financial statements, together with the Compliance Report or Single Audit Report. For institutions not required to present a Compliance Report or Single Audit Report, they may submit reviewed financial statements prepared by a Certified Public Accountant (CPA);



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d. Evidence of having acquired and maintaining Liability Insurance, with an insurance company approved by the Commissioner of Insurance of Puerto Rico, to cover the risks of bodily harm to people on their premises, buildings, and other structures. The coverage shall be not less than five hundred thousand dollars (\$500,000.00) per individual case and one million dollars (\$1,000,000.00) per incident.

Section 21.2.8 - Physical Facilities, Equipment, Laboratories, and Safety for the Academic Community

- a. Description of the institutional physical facilities;
- b. In case of rental, a copy of the contract;
- c. Permits for the physical facilities issued by the corresponding agencies:
 - i. Use Permit issued by the former Office of Regulations Administration (ARPE) or the state or municipal Permit Management Office (OGPe);
 - ii. Fire Department Permit;
 - iii. Health Department Sanitary License; and
 - iv. Any other applicable permit according to the institution's academic offerings.
- d. Description of the laboratories;
- e. List of technical personnel providing support to the laboratories, including, as applicable:
 - name, academic preparation,
 - type of license held with its number and effective date, if applicable,
 - position held and service schedule.
- f. Institutional security plan including a validated evacuation plan for emergencies and disasters;
- g. Maintenance and replacement plan for laboratory equipment;
- h. Plan for the protection of laboratories and research.

Section 21.2.9 - Guarantees of Civil Liability, Publications, and General Disclosure Statements

- a. Copies of announcements about academic offerings and student services;



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- b. Non-discrimination policy in employee hiring and student admissions practices;
- and
- c. Institution catalog(s).

Section 21.3 - Renewal License for Institutions with Multiple Units

In the case of multiple institutional units with the same institutional name and owner, the institution shall submit a single renewal license application. This application must demonstrate integration and consistency regarding institutional policies and academic programs, as well as the particularity of each institutional unit and how it responds to the central administration or the main campus of the institution.

Article 22 - Renewal License Application with Accreditation Evidence

When processing a License Renewal Application, the Board may recognize, for licensing purposes and at the request of the institution under evaluation, the results of accreditation processes obtained from local, national, regional, and professional accrediting entities recognized by the United States Department of Education.

The approval of the Board of a license renewal using accreditation evidence may be modified due to changes in such accreditation when related to the fulfillment of licensing requirements.

Section 22.1 - When the Application Proceeds

When an institution wishes to apply for the renewal of its license through the accreditation evidence process, it must indicate thus in a written communication to the Office stating:

- a. the intention to apply for license renewal using the accreditation results;
- b. the accreditation was conferred by a local, national, regional, or professional accrediting entity, or a combination thereof;
- c. the accreditation is current, free of remarks, and no more than three (3) years have passed since it was conferred before the license renewal application date;
- d. the accreditation reflects that the institution, its units, and its offerings or academic programs are covered under it;



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e. the institution meets the evaluation criteria for license renewal as provided in Act No. 212-2018 and this Regulation and submits the application on the due date.

Section 22.2 - Submission of License Renewal Application with Accreditation Evidence

Any institution wishing to use the accreditation from one or several accrediting entities to be considered during the license renewal evaluation must submit its application via the platform four (4) months before the expiration date of its license to operate in Puerto Rico. The application shall include:

a. an official communication from the accrediting entity indicating the determination regarding the accreditation, its scope, and the effective date, accompanied by the corresponding reports and determinations;

b. a copy of the institution's letter to the accrediting entity authorizing it to provide the Board access to the information related to the conferred accreditation and the response of the agency;

c. license renewal application on the electronic platform, according to Article 22;

d. comparative analysis between the evaluation criteria of the Board and the standards of the accrediting entity to establish compliance with this Regulation for obtaining the renewal license;

e. payment of the pertinent fee in accordance with Section 12.2 of this Regulation.

Section 22.3 - Procedure for the License Renewal Application with Accreditation Evidence

License renewal applications with accreditation evidence shall be initially evaluated by an ORLIE official, who shall determine if there is a need to appoint one or more evaluators to assist in the analysis and recommendations regarding the application.

CHAPTER VI

SUBSTANTIAL CHANGES AND SIGNIFICANT CHANGES

Article 23 - General Rule on Substantial Changes

Any action by a Postsecondary Institution that constitutes a modification or alteration to its structure, its academic offerings authorized in the license, or the manner or scope of its operations not authorized, contemplated, or foreseen in the license that allows it to



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operate in Puerto Rico, constitutes a substantial change that requires obtaining an amendment. Before implementing the change, it must be approved and the Office must have notified the Institution of its decision.

In the evaluation of amendment requests, the Office shall preliminarily analyze the request and determine the need to appoint evaluators and conduct a visit to the institution depending on the criteria that require evaluation according to the content of the application. The evaluation may be carried out using technology by ORLIE officials. The appointment of evaluators shall consider the academic level and the area, discipline, or profession to which the program corresponds. Additionally, it may consider current determinations on professional or specialized accreditation for the approval of an academic program.

The Board shall determine by certification the periods in which programmatic amendments shall be filed. Requests outside the established dates shall not be accepted, although the platform shall be available at all times. These periods do not apply to institutional amendments.

Article 24 - Substantial Institutional and Programmatic Changes

Substantial changes shall be evaluated according to the criteria included in Chapter III of this Regulation, as applicable. All applications must be submitted using the electronic platform or forms established by the Board for these purposes, along with the required documents and the applicable fee.

Amendments shall be considered in two categories: Institutional Changes and Programmatic Changes.

Article 25 - Institutional Changes

The following are considered institutional changes:

1. Establishment of a new institutional unit
2. Change in the name of the institution or any of its units
3. Change of ownership and control of the operation
4. Merger or consolidation of postsecondary institutions licensed by the Board
5. Relocation or expansion of the institution or any of its units
6. Closure of the institution or any of its units



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Section 25.1 - Establishment of a New Institutional Unit

A new institutional unit refers to any department that is part of the educational system of the institution and where an academic program, courses, subjects, or offerings with credits or hours accrued towards obtaining academic degrees are offered. The institution shall indicate in which aspects the new unit shall depend on the main unit or the central level of the institution.

For this type of amendment, all criteria established in this Regulation shall be evaluated. If the proposed academic offering for the unit is part of what has already been approved by the Office, it shall not be evaluated in its content.

Section 25.1.1 - Contents of the Application

a. Description of the change including its purpose, justification, and how it complies with the mission and objectives of the institution. The description shall indicate the academic levels it shall offer, issues related to policy management, services, and all aspects for which it shall depend on the main unit or the central level of the institution.

b. Physical and postal address of the new unit.

c. List of proposed administrators including: name, academic degrees obtained, professional experience, position, and office to which they shall be assigned.

d. Organizational chart of the institution reflecting the proposed unit and the organizational chart of the unit including the names of the proposed officials for each position.

e. List of proposed academic offerings. If the unit operates programs that have been approved in another unit of the institution, the application shall include specific information about the title, certification number from the Puerto Rico Education Council or the Board under which it was approved, the start date of offering, and the date of the last curricular review. If new programs are to be offered, the documents indicated in Section 26.1 of this Regulation shall be included.

f. Description of how the physical facilities shall meet the spaces for teaching, services to be offered according to the estimated enrollment for each academic offering, ensuring the health and physical safety of the academic community, including:



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i. Schematic plans or sketches illustrating the size, specifications, and use of the spaces.

ii. Permits from the pertinent agencies: Use Permit from ARPE or the Permit Management Office (OGPe). Submit permits from the Fire Department and Health Department or evidence of the process for obtaining them.

g. Description of the services to be offered to students, as specified in Section 19.6 of this Regulation.

h. Application of admission policies and procedures and their relationship with the main unit of the institution.

i. Detailed budget for a period of three (3) academic years including the year in which the amendment is requested. It must include income by sources and expense details, and the assumptions used by the institution for its preparation.

j. Evidence of having public liability insurance or of making arrangements for its acquisition.

Section 25.2 - Change in the Name of the Institution or Any of Its Units

The name change may or may not imply changes in the mission, goals, objectives, and academic levels the institution offers or intends to offer. The name of the institution must be consistent with the academic levels and the academic offerings approved by the Board.

The analysis of this type of amendment shall consider the following:

a. Whether the proposed name change implies changes in the mission, goals, objectives, and academic levels included in the license.

b. The relationship of the proposed name with the mission and academic offerings approved by the Board.

c. Whether the proposed name corresponds with the elements included in the definition of a university or university college as included in this Regulation, as applicable.

d. Whether the name change requires amending documents with the Department of State, the Department of Treasury, or another government entity.



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Section 25.2.1 - Contents of the Application

- a. Description of the change including its purpose and justification.
- b. Explanation of how the name change complies with the philosophy, mission, goals, and objectives of the institution, affect the curricular focus of the academic offerings of the institution, and pertains with the nature of the institution and its level of offerings.
- c. Copy of the decision of the Governing Body (if applicable) of the institution approving the name change.
- d. Evidence of having undertaken the name change procedures with the Department of State, the Department of Treasury, or another government entity, as applicable.

Section 25.3 - Change of Ownership and Control of the Operation

When a change of owner or the entity controlling the institution holding the license is planned, a license amendment must be requested before such action is carried out.

Section 25.3.1 - Contents of the Application

- a. Sworn certification before a notary public by the individuals or the principal executive officer of the entity proposing to acquire ownership or control over the operations of the institution, stating the following:
 - i. Identity of the person and/or entity;
 - ii. Acceptance of the responsibility that the institution's license entails;
 - iii. Commitment to ensure the continuity of the operation and conditions as authorized in the current license of the institution.
- b. Official written resolution from the boards of directors (if applicable) of the involved entities indicating the consent of the parties to the transaction for the change of ownership or control over the institution's operations.
- c. Evidence of having notified the intention of the change to the U.S. Department of Education and the accrediting entity, if applicable.
- d. Documents used to execute the change of ownership or control, including agreements, contracts, sources of financing, and similar items. If a corporation is acquiring control of the operation, the institution must include evidence of the Certification of Incorporation issued by the Department of State of the Government of Puerto Rico, Good



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Standing Certificate, and the articles of incorporation of the corporation acquiring control of the operation. If a partnership or another form of organization is acquiring control, it must submit the relevant incorporation documents.

e. When individuals intend to acquire control of the institution's operations, they must submit a summary with the following information: name, physical, mailing, and email address, professional academic credentials of each person acquiring control, and evidence of sufficient financial guarantees to support the operation, including financial statements and other guarantees such as lines of credit, assets, or other resources.

f. When a legal entity is acquiring control of the operation, the institution must submit a summary with the following information: name, physical, postal, and email address, professional academic credentials of its principal executive officers, and the last two (2) audited financial statements of the legal entity.

g. When the entity or person acquiring control of the operation resides outside the jurisdiction of Puerto Rico, the institution must submit information about the resident agent in Puerto Rico certified by the Department of State of the Government of Puerto Rico. Evidence of the legality of the entity or person in the state or country of residence must be submitted, along with a copy of their Good Standing Certificate or its equivalent in said jurisdiction.

h. Other data or documents deemed necessary by the Office to evaluate the transaction.

Section 25.4 - Merger or Consolidation of Postsecondary Institutions Licensed by the Board

This refers to postsecondary institutions that decide to merge or consolidate their operations. In the case of institutions, campuses, or units that are merging, a simultaneous application for an amendment must be submitted for the closure of the institution or any units that shall cease to operate in accordance with Section 25.6 of this Regulation.

Section 25.4.1 - Contents of the Application

a. Plan for the merger or consolidation identifying the institution that shall retain the license.



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b. Institutional organizational chart illustrating the merger or consolidation and the final product.

c. Analysis of the academic offerings of each institution, campus, or unit indicating which shall be retained.

d. Evidence of having notified the intention of the change to the U.S. Department of Education and the accrediting entity, if applicable.

e. Other data or documents deemed pertinent by the Office to evaluate the transaction.

Section 25.5 - Relocation or Expansion of the Institution or Any of Its Units

Since the license is granted based on the academic offerings the institution intends to offer or continue offering and the location(s) where they are offered, any change in these two components entails an amendment and must be evaluated by the Office before the institution implements them.

The analysis for a relocation shall focus on the equipment and laboratories based on the academic offerings, student services, information resources, physical facilities where the institution relocates its operations, and liability guarantees. The analysis for an expansion shall focus on the physical facilities, equipment, and laboratories where the institution expands its operations.

Section 25.5.1 - Contents of the Application

a. Proposed physical and postal address for the unit.

b. Description of the physical facilities, equipment, laboratories, and safety of the academic community, including the following updated permits issued in the name of the institution: Use Permit, Fire Department, Health, and other applicable permits in accordance with the use of the facilities, in compliance with state and federal laws. In the case of relocation, include a description of the spaces for student services and information resources.

c. Lease agreement, when applicable.



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Section 25.6 - Closure of the Institution or Any of Its Units

When an institution intends to close operations, either fully or partially, it must file the application on the electronic platform four (4) months before the closure. The institution must take necessary measures to minimize the impact on affected students, the community, and the public interest in general. The JIP shall designate an official to assist in the closure process. Additionally, it may conduct visits, inspections, and request necessary information to complete an orderly closure of operations to protect the students and public interest. The institution shall be obligated to facilitate visits or inspections and provide access to the necessary documents and information for the closure analysis. The ORLIE official designated by the JIP shall submit a report describing the institution's efforts, the status of matters to be addressed upon closure, and actions the JIP should consider to decree the total or partial closure of the institution.

Section 25.6.1 - Content of the Application

- a. Institutional Closure Form (provided by the Office).
- b. Measures implemented or proposed to inform students, the community, and the general public during the closure process.
- c. Evidence of having notified the intention to close to the U.S. Department of Education and the regional or national accrediting entity, if applicable.
- d. Mechanism established for students and graduates to continue receiving services for official credit transcripts and other documents related to academic records.

Section 25.6.2 Custody of Records of Institutions Ceasing Operations

When an institution intends to cease operations, it shall notify the student body at least sixty (60) days in advance. It shall establish a mechanism for students and graduates to continue receiving services for official credit transcripts and other documents related to academic records. Additionally, it shall establish, at the expense of the institution, a verifiable and reliable system to continue providing students with pertinent information regarding their academic work. The institution shall inform its students and graduates of these measures in writing and shall publish an announcement to this effect in a newspaper



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of general circulation in Puerto Rico. Copies of these communications shall be submitted by the institution to the JIP.

When the institution keeps custody of academic records, it shall have the duty to keep the Board informed of changes in physical address, telephone numbers, contact person, and any other necessary information for students to request and receive services. Prior to ceasing operations, when there is no successor entity responsible for custody of the documents, copies of diplomas and credit transcripts of each student shall be submitted by the institution to the Department of State. They shall be submitted in the format determined by the Secretary of State. The institution shall certify that the documents are complete and accurate. With regard to these documents, as they are of private origin, the provisions of Act No. 5 of December 8, 1955, as amended, known as the "Puerto Rico Public Records Administration Act," shall not apply. The Department shall, through regulation, determine the format in which these documents shall be preserved and the protocol for their digitization, retention, or destruction. If deemed appropriate, it may outsource these functions to an entity capable of performing them.

Section 25.6.3 - Agreement between Institutions for the Transfer of Students in a Total or Partial Closure Situation (Teach-Out Agreement)

A Postsecondary Institution in the process of total or partial closure that intends to formalize a teach-out agreement with another educational institution to facilitate the transfer of students to complete their educational contract must ensure that such agreement complies with the following:

1. It is an agreement to transfer students to institution(s) authorized to operate as educational institutions by the JIP for which there is correspondence in the level and content of the affected educational offering;
2. It provides a description of the nature of the situation and the effect it shall have on students with the proposed alternatives;
3. It includes an identification of the academic offerings involved in the transfer agreement and an explanation of how the educational offering shall be fulfilled for the affected students;



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4. It identifies the institutions that shall receive the transferring students;
5. Evidence that the institutions have informed their accrediting agencies and the US Department of Education of the situation and possibility of the agreement, as applicable. The communications must state that they are preliminarily in agreement with the conditions and the teach-out agreement notified by the institutions involved;
6. It provides evidence that students were informed in writing of the transfer option and those who accepted the alternative proposed by the institution;
7. It includes a certification related to the records of the students who were or shall be transferred to the institutions assuming responsibility;
8. Description of how the students' records shall be transferred to the Department, microfilmed, or digitized, in case of total closure in accordance with the conditions established by the Agency for such purpose;

Section 25.6.4 Certification of Closure and its Effects

Once all procedures related to closure are completed, the JIP shall issue a certification decreeing the total or partial closure of the institution, as appropriate. This certification shall include the effective date of the closure, the unit or units and academic offerings included, and reference to any other measures adopted to carry out the closure, such as the delivery to the Department of digitized or microfilmed institutional academic records or other special conditions. Once the total closure of an institution is decreed, it shall not operate in Puerto Rico. The institution shall refrain from making representations to students and the general public, and shall be subject to the provisions of Section 17 of Act No. 212-2018. If, subsequent to the decree of total closure, the institution wishes to resume operations, it shall submit an Application for Authorization License in accordance with the provisions of this Regulation.

Section 25.6.5 - Institutions with Authorization License that Never Operated or Failed to Submit a License Renewal Application

In cases where a Postsecondary Institution that has obtained Authorization License has not initiated operations or has not notified its intention to close operations, after the ORLIE confirms that indeed the institution does not operate in Puerto Rico, a procedure for



cancellation of the operating license shall be initiated. If, by the expiration date of its license, the institution has not filed the License Renewal Application and has not notified its intention to close and continues operations, it shall be deemed to be noncompliance with Act No. 212-2018 and this Regulation and shall be subject to the sanctions and penalties applicable in accordance therewith.

Article 26 - Programmatic Changes

The following are considered programmatic changes:

1. Creation of new academic offerings regardless of the mode of instruction.
2. Change of name of an academic offering.
3. Change of mode in the instruction of an academic offering.
4. Initiation of an academic offering in a unit different from the one previously approved.

Section 26.1 - Creation of New Academic Offerings Regardless of the Mode of Instruction

An academic offering refers to any program, concentration, specialty, certificate, or any other type of academic offering proposed by an institution as a separate and predefined set of courses leading to a post-secondary education degree. The analysis of this type of amendment shall focus on the academic offering (laboratories, if applicable), faculty, information resources, and academic technology.

Section 26.1.1 - Content of the Application

a. Description of the academic program including: program title, CIP Code, mode in which it shall be offered, academic term, program description, admission requirements to the institution and the program, graduation requirements, curriculum design, curriculum sequence, program objectives, graduate profile, and alignment with program components, description of laboratories associated with the program, equipment inventory, and laboratory manual, databases supporting the program, including the validity of the corresponding licenses.

b. For programs aiming to prepare graduates for professions or occupations regulated by law in Puerto Rico, include an explanation of how the proposed academic offering meets the requirements established by these laws and regulations.



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c. Syllabi of the courses of the submitted academic offerings, including the following elements or components:

- i. Title, Code,
- ii. Credit Hours or Contact Hours,
- iii. Description,
- iv. Objectives,
- v. Content,
- vi. Learning strategies,
- vii. Resources and technologies to be used,
- viii. Evaluation methods,
- ix. Textbook (if applicable) and Bibliography/References.

d. For distance learning programs, in addition to the syllabi:

i. Modules (course design on the platform) for the courses proposed to be offered in the first six (6) months of each program and the first two (2) courses of the major or specialty.

ii. Plan for the development of the remaining modules.

e. List of faculty members including:

- i. name, completed academic degrees,
- ii. institution and year of obtaining each degree,
- iii. professional experience,
- iv. professional license, as applicable,
- v. titles of courses they shall teach,

vi. information and evidence of courses or certifications, as applicable to the program and distance teaching mode. This faculty must comply with Section 19.4 of this Regulation.

f. If the program requires practicum courses, include evidence of letters of agreement or contracts with practicum centers and a copy of the Practicum Manual.



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g. If the program is at the graduate level, include a copy of the Thesis or Dissertation Manual and guidelines for comprehensive exams or other degree requirements, as applicable.

h. Description of the technological infrastructure related to the courses and resources available to support them.

If offering a degree where all or part of the courses come from one approved by the Board in the same institutional unit, the institution shall submit the documents required in paragraphs a, b, and e of this section.

For a Postsecondary Institution interested in adding an academic offering of a different level than authorized in its license, the evaluation shall take into consideration all the criteria established in Article 19 of this Regulation. In this case, the content of the Application shall also include a description of how the change in level in the academic offering meets the criteria.

Section 26.2 - Change of Name of an Academic Offering

Refers to changing the name of an academic offering that does not imply a change in the curricular focus and does not apply to changing the level of an academic offering. The analysis of this type of amendment shall be systematically done in institutions with multiple units.

Section 26.2.1 - Content of the Application

a. Description of the change including purpose, justification, and effective date.

b. Explanation of why the name change does not imply a change in the level or curricular focus.

c. If the name change is a result of a curricular review, documents of the changes made should be submitted.

d. Explanation of the effect of the change on enrolled students in the current program and how it shall be communicated to the academic community.

e. For programs aiming to prepare graduates for professions or occupations regulated by law in Puerto Rico, include information on how the proposed academic offering meets the requirements established by these laws and applicable regulations.



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Section 26.3 - Change of Mode in the Instruction of an Academic Offering

Refers to changing from face-to-face mode to distance learning mode or vice versa. The change of mode shall be determined when 50% or more of the courses are offered in any of the modes.

The analysis shall focus on verifying faculty credentials; technological infrastructure related to the courses, access, and security, and laboratories, if applicable. Technological systems related to courses, access, and security shall be evaluated only the first time the institution offers the distance learning mode.

Section 26.3.1 - Content of the Application Regardless of the Modality

a. Description of the specific changes for the unit where the academic program shall start, including: program title, CIP Code, copy of the Certification from the Puerto Rico Education Council or the Board whereby it was approved; description of the laboratories associated with the program, inventory of the equipment, and laboratory manuals; databases supporting the program and usage permissions, including their validity period.

b. In cases where the approved program has been revised by the institution, the changes made to it must be specified.

c. List of faculty members including: name, academic degrees obtained, institution and year each degree was obtained, professional experience, titles of courses they shall teach. Faculty credentials shall include information on courses or certifications, with corresponding evidence, in their discipline.

d. If the program requires practicum courses, include evidence of: letters of intent or agreements with practicum centers and a copy of the Practicum Manual. For distance learning programs, indicate how the student shall fulfill these requirements.

e. If the program is at the graduate level, a copy of the Thesis or Dissertation Manual and guidelines for comprehensive exams or other degree requirements as applicable; for distance learning programs, indicate how the student shall fulfill these requirements.

f. Inform if there have been changes in institutional policies as a result of the change in teaching modality. If so, describe the changes.

g. For the change from face-to-face to distance learning modality:



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i. Modules (course design on the platform) for the courses to be offered in the first six (6) months of each program and the first two courses to be offered in the concentration or specialty;

ii. Information on courses or certifications, with appropriate evidence, that faculty members have in their discipline and in distance learning teaching; and

iii. Description of the technological infrastructure for offering the programs and the validity date of licenses or permissions for the use of that infrastructure.

Section 26.4 - Initiation of an Academic Offering in a Unit Different from the One Previously Approved

The analysis of this type of amendment shall be carried out by ORLIE officials and shall focus on the following criteria: faculty, verification that the academic offering corresponds to the one approved by the Office, equipment, and laboratories (if applicable).

Section 26.4.1 - Content of the Application

a. Description of the specific changes for the unit where the academic program shall start, including: program title, CIP Code, copy of the Certification from the Office through which it was approved; description of the laboratories associated with the program and inventory of the equipment; databases supporting the program and related permissions for physical facilities, including their validity period.

b. Description of the technological infrastructure for offering the program and the validity date of the licenses for that infrastructure.

c. List of faculty members including: name, academic degrees obtained, institution and year each degree was obtained, professional experience, and titles of the courses they shall teach. Faculty credentials (academic degrees obtained and professional experience) shall include information and evidence on courses or certifications in the discipline and teaching modality, as applicable to the program.

d. Description of the information resources, including service hours and administrative, professional, and technical staff.

e. If the program requires practicum courses, include evidence of: agreement letters with practicum centers and a copy of the Practicum Manual.



f. If the program is at the graduate level, include a copy of the Thesis or Dissertation Manual and guidelines for comprehensive exams or other degree requirements, as applicable.

Article 27 - Evaluation of Amendment Requests

At any time during the consideration of an amendment request, the Office may request pertinent information for the evaluation or send Office officials or evaluators to the institution to examine one or more aspects of the submitted amendment request. In either case, the institution shall be notified and shall provide its cooperation for the management to be carried out.

Section 27.1 - Evaluation Report

The Office official shall prepare a report verifying the institution's compliance with the criteria established in Article 19 of this Regulation. This report shall be prepared taking into consideration the analysis and recommendations of the Office official and evaluators. The report shall be the basis for the relevant procedure before the Board.

Article 28 - Decision of the Board

Section 28.1 - Approval and Implementation of Amendment Requests

The Board or the Office shall approve the amendment request to the license when the institution demonstrates compliance with the regulatory requirements. In cases where the Board deems it necessary, it may require the institution to submit Corrective Action or Compliance Reports or conduct verification visits.

Section 28.2 - Denial of License Amendments

The Board may deny any license amendment request when, as a result of the evaluation, the institution fails to show compliance with the required criteria, in which case the institution may not implement the change. The institution may challenge the decision in accordance with Act No. 38-2017 and the regulations on adjudicative procedures adopted by the Board.



Article 29 - Effect of Implementing or Maintaining a Substantial Change Without Compliance

Carrying out or maintaining one or more substantial changes in contravention of the provisions of this Regulation constitutes a violation of the licensing requirement to operate. The institution shall be subject to the legal consequences of such a violation, including the imposition of fines, suspension, or total or partial cancellation of its license, and a potential legal action initiated by the Board.

Article 30 - General Rule on Significant Changes

Any action by the institution that does not require the filing of a License Amendment Request implies a significant change that must be notified to the Office. For some of these actions, the Office is required to issue a Certification. The change must have a prospective date when notified to the Office.

An official of the Office shall analyze all notices of significant changes indicated herein and shall forward their recommendation to the Educational Institutions Registration and Licensing Office. All significant changes shall be processed by the Office and do not incur fees.

Section 30.1 - Significant Changes Requiring Certification

- a. Placement of an academic offering on hold.
- b. Changes in graduation requirements, including revision of programs to add, eliminate, or redistribute courses where there are changes in the number of credits.
- c. Closure of an academic offering.
- d. Resumption of an academic offering that has been on hold for three (3) years or less and whose curriculum remains as approved by the Board.

Section 30.2 - Significant Changes Not Requiring Certification

- a. Changes in admission policies or requirements.
- b. Changes in graduation requirements, including revision of programs to add, eliminate, or redistribute courses where there are no changes in the number of credits.
- c. Changes in the senior executives of the institution.
- d. Changes in institutional catalogs.



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e. Consortium, agreement, or academic collaboration between educational institutions that involves offering one or more courses to students to be recognized as part of a degree or other postsecondary credential. When the agreement is with an institution outside of Puerto Rico, if the activities constitute an operation in Puerto Rico as defined in this Regulation, that institution must apply for an Authorization License.

Section 30.3 - Content of the Notice

- a. Description of the change, including justification, purpose, and effective date.
- b. Updated information that the Institution shall publish in its Catalog or any other publication.
- c. Information on how the change shall be communicated to the academic community.
- d. Explanation of how the change affects enrolled students.
- e. In the case of resumption of an academic offering that has been on hold for three (3) years or less and whose curriculum remains as approved by the Board, include, in addition to the above information, a copy of the Certification(s) issued by the Board.
- f. In the case of a consortium, agreement, or collaboration between educational institutions, include a copy of this, as signed by the parties.

CHAPTER VII

EVALUATORS

Article 31 - Concept

The Director of the Office may authorize or designate professionals or specialists in a particular discipline or area as evaluators to assist in the evaluation of applications submitted by institutions. These individuals shall receive professional, administrative, and technical advice from the ORLIE officials on the regulatory matters governing the evaluation processes.

Article 32 – Duties and Responsibilities of the Evaluators

Once designated, evaluators represent the Board and assume the responsibility to conduct themselves and perform their tasks within the parameters established in this



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Regulation and the corresponding approved guidelines. The duties and responsibilities of the evaluators are as follows:

1. To attend required meetings and training sessions.
2. To analyze the application and documents submitted by the institution, based on the requirements to demonstrate compliance with the criteria provided in this Regulation.
3. To communicate to ORLIE officials the need to conduct visits to the institution, request additional documents, and hold meetings with representatives of the institution.
4. To attend evaluation visits and meetings with institution officials accompanied by the ORLIE official.
5. To maintain confidentiality of the information and documents under evaluation.
6. To prepare necessary reports, including findings and recommendations on actions to be considered for determination by the Office or the Board.
7. To adhere to the established deadlines for evaluation activities and report submission.
8. To demonstrate integrity, professionalism, and objectivity regarding the assigned evaluation.
9. To appear at administrative hearings and collaborate with the Board in the review procedures of the determinations made in the cases where they participated as evaluators, if necessary.

Article 33 - Composition of the Evaluating Committee

In cases where an Evaluating Committee is required, its composition shall take into account the nature and complexity of the application. It may be composed of teaching and administrative staff selected from the candidates available in the pool of evaluators or others identified in postsecondary education institutions in Puerto Rico, the United States, or other countries, government entities, and private companies. These individuals must possess the academic credentials, professional experience, and necessary competencies at the academic level of the discipline or area to be evaluated.



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The Office shall identify the candidates and ensure that the Evaluating Committee is composed of the number of members necessary to conduct the evaluation according to the circumstances of each case and the norms and guidelines established in this regard.

Where possible, there should be representation from both the public and private sectors of licensed postsecondary education institutions.

Article 34 - Characteristics of Evaluators

Section 34.1 - Eligibility

All evaluators or members of an Evaluating Committee must meet the following requirements:

- a. Academic credentials and expertise in the discipline or area to be evaluated or recognized expertise by the academic and professional community;
- b. Experience in the discipline and at the academic level to be evaluated or in professional practice;
- c. Impartiality, flexibility, and capacity for critical analysis; and
- d. Knowledge and handling of technology.

Section 34.2 - Ineligibility

Individuals whose interests are in conflict with the public interest represented by the Board and who have ties with the institution to be evaluated are ineligible to serve as evaluators. This includes those who:

- a. Currently work, have contracts, or are studying at the institution;
- b. Have been employed, contracted, or studied at the institution in the past three (3) years;
- c. Have spouses or immediate family members who are employed, contracted, seeking employment, or studying at the institution;
- d. Have an economic interest in the institution.

Section 34.3 - Pool of Candidates for Evaluator

The Office shall maintain an updated pool of evaluators composed of qualified professionals certified as evaluators. Periodically, the Office shall request recommendations from institutions, government agencies, examining boards, and other



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professional organizations in the country for professionals or specialists in a particular discipline or area to include them in this pool. For each recommended person, information on academic and professional credentials, lines of research when applicable, and other relevant information shall be requested.

Section 34.4 - Obligation of Institutions to Allow Participation of Faculty and Administrators

All institutions licensed to operate in Puerto Rico are required to allow and promote the participation of their professional teaching and administrative resources in the evaluation processes of the Board.

Section 34.5 - Identification of Candidates for Evaluator and Consent of the Institution

Consent

When Candidates for Evaluator are identified, the Office shall notify the institution to be evaluated in writing of the names, academic credentials, and professional experience of the candidates under consideration. The institution shall have two (2) calendar days to confirm the evaluators. If no response is received from the institution within that period, it shall be understood that there is no objection, and the evaluation process shall continue. If the institution objects to any of the candidates presented, it must indicate in writing to the Office the specific reasons justifying its opposition. The Office shall consider the merits and decide on the appointment of candidates.

Section 34.6 - Appointment of Evaluators

The Office shall appoint each evaluator and notify them of their appointment. The evaluator shall be responsible for informing the president or chief executive of their originating institution or their immediate supervisor at their place of employment.

Article 35 - Stipend for Evaluators

All persons designated as evaluators shall receive a stipend for each process in which they participate, as established by the Board. In the case of evaluation visits, the institution to be evaluated shall cover the costs of meals and, if necessary, accommodation and other reasonable expenses incurred by the evaluators. If the evaluator decides to perform their duties *ad honorem*, they must state this in writing.



Article 36 - Training

The Office is responsible for training the evaluators, including but not limited to the following areas:

1. The legal, regulatory provisions, and ethical conduct that govern their functions as evaluators to participate in the licensing processes of postsecondary education institutions;
2. The evaluation procedures, including evaluation criteria, the content and drafting of the report, the responsibilities of the evaluator and ORLIE officials, and the expected conduct, among other aspects.

Article 37 - Ethical Behavior

Evaluators are obligated to demonstrate ethical behavior in the exercise of their functions. To this effect, they must sign a document stipulating the ethical standards to be followed related to, but not limited to, professional conduct, confidentiality, impartiality, and conflict of interest.

In the event of an ethical violation by an evaluator, the evaluated institution shall notify the Office in writing, which shall consider the situation and, if necessary, relieve the evaluator of their responsibilities and remove them from the pool of evaluators. If required, the Office shall appoint a new evaluator. This decision shall be communicated to the evaluated institution. The Office shall extend the period to complete the evaluation until the new evaluator is appointed.

Article 38 - Contractual Relationships with Evaluators

The evaluated institution shall refrain from hiring evaluators designated by the Office to assist in the evaluation of applications and related matters for at least one (1) year after the conclusion of the process.

CHAPTER VIII

CLAIMS

Article 39 - Who Can File

Any person affected by an action of a postsecondary education institution that constitutes a violation of the Act No. 212-2018, this Regulation, or the terms of a license



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granted by the Board may file a complaint with the Office. This must be submitted in writing, in original and a copy, signed by the complainant(s) under oath before a notary public.

This complaint procedure does not apply to labor disputes between teaching or non-teaching staff and the institution, or disputes between parents, students, and professors on matters such as evaluation of academic work, dissatisfaction with grades, disputes between institutions, student financial aid, or conflicts over contractual aspects.

Before filing a complaint under this Regulation, the complainant must have exhausted the available processes for dispute resolution, complaints, or grievances established in the regulations and norms of the institution being complained against.

Article 40 - Form and Content Requirements

a. Every complaint must indicate the complainant's full name, postal and residential address, email, and telephone number. If there is more than one complainant, the information for each one must be included, as applicable.

b. It must also contain a clear and concise statement of the facts on which it is based, as well as the legal or regulatory provisions, or terms of the license alleged to have been violated. It may include evidence to support the allegations of the complainant.

c. The complainant must indicate the measures or actions taken with the institution related to the facts on which the complaint is based, including actions before officials and internal forums of the institution and other administrative and judicial forums.

Article 41 – Procedures

Section 41.1 – Notice to the Respondent

Upon receipt of a claim, the Office shall notify the respondent institution by delivering a copy thereof. The respondent shall answer within thirty (30) days of notice. The parties have the duty to notify the Board as well as the other parties thereto of any communication or document produced during the process.

Failure to answer within the period granted shall be understood as the institution's admission of the allegations made in the claim notified and the provisions of Article 42 of this Regulation shall be complied with.



Section 41.2 – Investigation

If deemed necessary by the Office, it may conduct its own investigation and request further information.

Article 42 – Determination by the Office

Section 42.1 – Closing a Claim

If in the judgment of the Office, the claim lacks merits, it shall thus notify the parties thereto and proceed to close it.

Section 42.2 – Mediation between the Parties

If in the judgment of the Office the claim is warranted, but fails to constitute sufficient cause to affect the status of the license of the respondent or to take any action established Reorganization Plan No. 6, Act No. 212-2018, or this Regulation, the Office may act as a mediator between the parties to try and solve the situation that prompted the claim.

Section 42.3 – Action against the Institution

If in the judgment of the Office the claim should be granted and there is probable cause for the imposition of a fine or for the suspension or cancellation of the license of the institution, or if it fails to answer within the term established in Section 41.1, the procedures established in this Regulation for such sanctions shall be applicable.

CHAPTER IX

COMPLIANCE WITH THIS REGULATION

Article 43 – General Rule

Every institution holding a license shall have the ongoing obligation to meet the requirements established in Act No. 212-2018 and this Regulations, of notifying the Board about any events that may affect the scope of the license and provide documentation as required to carry out the necessary evaluations and maintain the record up to date.

Article 44 – Consequences of Noncompliance with this Regulations

- a. Any natural or juridical person that fails to comply with the provisions of this Act on the custody of the records in the event of a closing down shall be guilty of a



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felony and punished by imprisonment for three (3) years, a five thousand dollar (\$5,000)- fine, or both penalties at the discretion of the Court.

- b. Every Postsecondary Education Institution that fails to meet the requirements of this Act or to correct any deficiencies identified shall be subject to a five thousand dollar (\$5,000)- fine and the cancellation, suspension, or modification of the license, as established in the Regulations by virtue of Act No. 212-2018. The fines established herein may increase in accordance with the occurrences of noncompliance, but may not exceed ten thousand dollars (\$10,000) per each deficiency identified by the Board.
- c. Any natural or juridical person that receives money after being advertised as an education institution without complying with the provisions of Act No. 212-2018, shall be also guilty of unlawful taking and punished in accordance with Act No. 146-2012, as amended, known as the “Puerto Rico Penal Code.” The aggrieved party shall be entitled to claim any civil damages resulting from by said noncompliance.

Approved by the Board of Postsecondary Institutions on March 3, 2021.

[signature: Damaris illegible]

Damaris Nolasco- Ortiz

Acting Executive Director

[handwritten: 04.23.2021]

Date

