

Addendum Report Evidence 4.2

Translated from the original document



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Circular Letter No. 25-2015-2016

Associate Assistant Secretary, Assistant Secretary for Academic Affairs, Assistant Secretary for Administration, Associate Secretary of Special Education, Assistant Secretaries, Director of the Institute for Administrative Training and Counseling of Schools, Director of the Institute for Teacher Professional Development, Directors of Offices, Programs and Divisions, Directors of the Educational Regions, Superintendents of Schools in charge of the School Districts, Teaching Facilitators, School Directors, Directors of the Technological Institute of Puerto Rico, Teachers, Library Teachers, School Counselors, Counselors and School Social Workers.

PUBLIC POLICY FOR THE RELOCATION, REASSIGNMENT, TRANSFER AND RECRUITMENT OF THE TEACHING STAFF OF THE SCHOOLS AND THE TECHNOLOGICAL INSTITUTES IN THE EDUCATION DEPARTMENT, 2016-2017 SCHOOL YEAR

Introduction

In the Law this Num. Statute 149-1999, it is declared as amended, the student¹ the reason is the public policy of our Agency. of being of the system of public education and the teacher is its main resource. He also points out that one of his essential purposes is the interaction between students and teachers, such as what to do as principal of the school. In this way, other school activities, regardless of their nature, are justified only when they facilitate teaching, improve educational management or strengthen the services of the school to the community. In order to be true to these principles, the Department of Education must ensure that it recruits, selects, trains and retains the most qualified personnel.

This circular letter is promulgated by taking as a fundamental premise that if we provide quality teaching staff to each of our schools and assign educational resources to work, with a basis of democratic policies and principles and fair, we must observe high levels of academic

¹ For purposes of a legal nature in relation to Title VII of the Civil Rights Act of 1964; Public Law 88-352, 42 USC. 2000 et seq.; the Constitution of the Commonwealth of Puerto Rico; Circular Letter No. 19-2014-2015, Public policy on gender equity and its integration into the curriculum of the Department of Education of Puerto Rico as an instrument to promote the dignity of the human being and the equality of all before the law, and principle of grammatical economy and unmarked genre of Spanish spelling, the use of the terms facilitator, teacher, director, student, tutor, manager and any use that may refer to both genders, includes both male and female.

P.O. Box 190759
San Juan, Puerto Rico 00919-0759
Tel: 787 759 2000
www.de.gobierno.pr

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achievement in the students.

In this complex process, it is important to guarantee the stability and continuity of the teaching and teaching support services offered by the schools.

This circular letter establishes the public policy that will guarantee us having the teaching resource on time. From now on, we will use the term "teaching staff" to refer to teachers, librarians, counselors, school counselors, school social workers and the teachers of the institutes.

In order to respond to the academic project that has been drawn up, at the beginning of the second semester the school communities plan how they will be organized for the next school year. Part of this process includes objective evaluation of the amount of teaching resources the school needs or the resources available for relocation, reassignment or transfer that it may have, according to the annual projections. This is the starting point for all the decisions that will be made each year on the teaching staff of the schools, as described in this document.

A. Legal basis

Act No. 149-1999, as amended, provides that the Department and the schools administer a personnel system based on the principle of merit. Likewise, Act No. 184-2004, as amended, known as the Law for the Administration of Human Resources in the Public Service of the Commonwealth of Puerto Rico, reaffirms the merit as the principle that will govern public service, so that they are the fittest those that serve the Government; and Act No. 66-2014, known as the Special Fiscal and Operational Sustainability Law of the Government of the Commonwealth of Puerto Rico, establishes guidelines for appointments made in regular and transitory positions.

There are also federal statutes related to the Federal Every Student Succeeds Act (ESSA) of 2015 that impose specific requirements on the professional qualifications of teachers in some categories. The Department must ensure that all teachers who teach the core subjects meet the following requirements: (1) have at least a baccalaureate; (2) have a regular teacher's certificate; and (3) have demonstrated competence in the subject (s) they teach. The public policy defined in this document allows us to comply with federal law and ensure that all students have access to a teacher who is highly qualified in the subjects taught. This action is an important part of the Equity Plan recently approved to Puerto Rico by the Federal Education Department.

B. Definitions

1. Relocation - movement of teaching staff, who has probatory or permanent status while maintaining their position (position and incumbent) and authorized by necessity of the service or by the causes established in subsections C.2, C.3 and C.4.
2. Reassignment - change of teaching staff with probatory or permanent status to another category of post in the same municipality.

3. Transfer - change of teaching staff with probatory or permanent status to another municipality.

Transfer-reassignment - change of teaching staff with probationary or permanent status to another municipality and to another category of position.

4. Resource available for relocation, reassignment or transfer - teacher whose position is declared excess because it is not recommended as necessary in the process of school organization or is alienated to the academic project established at the school.

C. Relocations, reassignments, transfers and recruitment of personnel teacher

C.1 Personnel responsible for relocations, reassignments, transfers and teacher recruitment

In accordance with the Organic Law of the Department of Education, as amended, the directors of the educational regions will carry out the relocation, the reassignment, the transfer and the recruitment of the teaching staff by delegation of the Secretary of Education.

In the early stages of the school organization process, each special assistant will recommend the positions each school needs, according to the available resources. This will be done after analyzing the proposal of resources and necessary posts and the narrative justification of the academic project submitted by each of the schools. Excess positions will be declared that are not necessary to comply with the academic project that each school has outlined.

The special assistant in charge of the district, in coordination with the school principal, will conduct an analysis to identify teachers who will relocate or move because of the need for the service, by using the criteria established in the following section.

Relocations, reassignments and transfers for service needs will take precedence over shift records.

C.2 Rules for relocations, reassignments and transfers

1. Relocations, reassignments and transfers may be carried out due to the necessity of the service, during the entire school year, in the event that the following situations arise:
 - a. reduction in the enrollment of the school to which the staff is assigned teacher;
 - b. elimination of funds, programs, projects or courses;
 - c. compliance with federal regulations to achieve equity in the allocation of state resources in schools (comparability);
 - d. the closure, consolidation or restructuring of schools;
 - e. lack of resources in special projects or advanced level courses in specialized schools, as long as the allocation of funds is not affected.

2. When carrying out the relocations, reassignments or transfers due to the necessity of the service, decisions shall be made in accordance with the following criteria, in the order of priority in which they are indicated:

- a. date on which the teaching staff acquired permanent status in the corresponding category;
- b. total years of work experience in the public system;
- c. additional academic preparation in the specialty in which he serves as a teaching staff;
- d. general academic index, (defined in Article V Section 6 (1) (f) of the Teaching Staff Regulations, as amended) included in the personnel file.

C.3 Rules for relocations, reassignments or transfers of teaching staff for the reasons considered in clauses C.2.1 (a, b, c, e)

1. Once the school director or the authorized person prepares the school organization proposal and it is validated by the corresponding personnel, the category (s) of the position (s) that are surplus in that school site will be identified. . Likewise, if one of the reasons contained in subsections C.2.1 (a, b, c, e) is identified, the procedure to determine and identify the teacher that is available resource for relocation, reassignment or transfer is as follows:

- a. the category of the surplus position will be determined and evaluated exclusively by the school.
- b. Teachers who occupy positions within the same category that result in surplus will be evaluated according to the criteria mentioned in subsection C.2.2, to determine who is the least senior teacher, which will be the teacher identified as a resource available for relocation , reassignment or relocation and who should be relocated from school.
- c. Elementary teachers who offer grades kindergarten through fifth grade and resources available for relocation, reassignment or transfer will be evaluated by levels. That is, if the excess category is at level K-5, only teachers at that level will be evaluated. If the surplus is in grades 6-8, only teachers in those grades will be evaluated.
- d. In the primary schools (with seventh and eighth grades), secondary, occupational and specialized schools the seniority study of the teachers will be done by category (specialty).

2. The teaching staff will be notified about the schools where they can be relocated or transferred within and outside of their school district or where there is a need for service, as long as they are highly qualified as defined by the ESSA Law. When there is no need for service in your school district, you can relocate to another.

3. Schools that do not have full academic load - that is, five (5) groups with the minimum number of students required-, will need a teacher shared with another school or a part-time teacher who will be recruited through a personal service contract, as the case may be.

4. A teacher who is available resource for relocation, reassignment or transfer due to reduction in enrollment may be assigned to attend two nearby schools to complete their academic load.

5. When there is no teacher relocation alternative that results in resources available for relocation, reassignment or transfer to attend schools that do not have a full academic load, the teacher may be hired part-time (personal services).

i. The regional director will be responsible for making the request for the personal services contract to the Auxiliary Secretariat for Human Resources with due justification.

C.4 Regulations for the relocation of teaching staff due to closure, consolidation or reorganization of schools

1. Relocations for closure, consolidation or reconfiguration of levels may be carried out when the Secretary of Education so determines.

2. When carrying out the relocations due to closure, consolidation or reorganization of schools, the educational region will evaluate the capacity of the receiving school that will receive the faculty of the closing school. Teachers who can not be relocated to receiving schools will be declared resources available for relocation, reassignment or transfer. In order to determine the order in which the teacher will be relocated, a seniority study of the teaching staff will be carried out by category of position in accordance with the criteria mentioned in subsection C.2.2 of this letter.

3. This seniority study will be conducted among all teachers in schools that will be closed. The teaching staff of the schools to whom this process does not apply will not be taken into consideration for the seniority study.

4. The relocation of the teachers that turn out to be available resources for relocation, reassignment or transfer by closing of schools will be carried out prior to the relocations of other teachers, since it is indispensable to guarantee a location for this personnel.

5. The Auxiliary Secretary of Human Resources will prepare the seniority study reports and send them to the educational region in these cases. These reports will include the names of the teaching staff that will be relocated in the educational region.

6. The educational region will summon the teacher to notify him that he has been declared a resource available for relocation, reassignment or transfer to his school and will notify him of the schools in which he may be relocated within the educational region or where there is a need for service, provided that when you are highly qualified. When there is no need for the service in your educational region, you can relocate to another region, considering that this change is not burdensome for the employee. The employee must receive the form Notification of relocations due to service needs, due to closing, consolidation or reorganization of schools (Appendix I).

7. When the teacher has selected a school to be relocated, the educational region will prepare a cover letter for the school principal.

8. The employee that turns out to be an available resource for relocation, reassignment or transfer due to the closure, consolidation or reorganization of the school may request reassignment to another category of position, voluntarily and in writing, provided that he holds a regular teacher's certificate in said category. and this highly qualified. This action involves a change of status from permanent to probationary. In addition, this change of status has the effect of interrupting the teaching career until the teacher acquires a new permanent status. The employee must complete the Form to request reallocation or transfer for closure, consolidation and reorganization of the schools (Appendix II).

9. The employee that turns out to be a resource available for relocation, reassignment or transfer may request to be transferred to another educational region. This action will not affect your permanent status. The employee must complete the Form to request reallocation or transfer for closure, consolidation and reorganization of the schools (Appendix II).

C.5 General provisions for the relocation of teaching staff due to the need for the service or for the closure, consolidation or reorganization of schools

1. For any reason, relocations may be taken as a measure disciplinary
2. These relocations, reassignments or transfers will not affect the wages previously acquired. Some bonuses granted may be affected.
3. The educational region will complete the relocation due to the need for service (position and incumbent) in the Relocation System of Posts and Incumbents (SURPI) to generate the Change Report (Form 409).
4. If the employee who is identified as a resource available for relocation, reassignment or transfer understands that some of the criteria used to determine its seniority is incorrect, it may request a written review of this data in the Human Resources office of the educational region within three (3) business days after being notified that a resource has been declared available for relocation, reassignment or transfer. In your request you must specify your claim and present documentary evidence. The human resources personnel of the region will evaluate the request and will notify you in writing, either by regular correspondence or by e-mail, the result of said evaluation (Appendix III).

C.6 Relocations, relocations and transfers for exceptional situations

The teaching staff may request a relocation, reassignment or transfer of exceptional situations, as mentioned below:

- a. security (eg, gender-based violence or stalking, with a protection order as evidence, or a copy of the complaint before the Puerto Rico Police or a complaint for alleged commission of a crime against him);
- b. by any court order;

c. illness of the employee or a relative, up to the second degree of consanguinity and the first of affinity that requires treatment in another municipality with reliable evidence to support the request. Any serious or terminal health condition will be considered a disease under these subsections. Any accident involving a prolonged hospitalization or requiring treatment with or under the supervision of a health professional will also be taken into consideration;

d. residential relocation that is distant from the workplace (changes from one region to another will be considered distant).

To request a change, the employee will fill out an application on the website during the period established in the call for employment. Should any exceptional situation arise after the period to request, the employee may make his change request in writing and deliver it in the corresponding educational region.

The request must have the recommendation of the school principal and be accompanied by the necessary evidence. The regional director will evaluate the documentation and the rest of the evidence presented. If the request is justified, it will be processed by the Assistant Secretary of Human Resources at the central level.

In order to be reassigned, the employee must possess a regular teacher's certificate in the category of the corresponding position.

C.7 General provisions for relocations, reassignments and transfers by exceptional situation

1. For no reason relocations, reassignments or transfers may be taken as a disciplinary measure.

2. As a general rule, to grant a reassignment or transfer there must be a vacant regular position. This provision does not apply to the situations mentioned in subparagraphs C.6 a and b.

3. Upon the relocation, reassignment or transfer of an employee, the Utility, Maintenance and Position Authorization System (SUMAP), the SURPI will be completed and a Change Report will be generated (Form 409), which will indicate the information corresponding to the change and the necessity of the service that has arisen, in the box provided for observations. The teaching staff and the director of the educational region will sign the change report in the corresponding box.

D. Application for employment

During the first months of the calendar year, the Department of Education will publish a call for employment in at least one newspaper of general circulation in the country, with the purpose of informing all interested parties of the opportunity to submit their application for a transfer or income. to the magisterium.

This request will be channeled via Internet at the electronic address www.solicitud.de.gobierno.pr during the dates established in the call for recruitment of teaching staff.

E. Transfer-reallocation

Teaching staff, with probatory or permanent status and interested in a relocation-reassignment, may complete an application for employment during the period established in the call.

A Registry of Eligible Relocation-Reassignment will be established by category and district, in which the candidates will appear in strict order of turns. These records will be considered with priority to the income eligibility records and to the list of provisional candidates.

Transfers-reallocations will be made until the last working day of May of each year. After this day, these changes cannot be made.

The teacher will have the right to request a single transfer-reassignment during the school year.

To carry out a relocation-reassignment there must be a vacant regular position. There will be no transfers for a single school year, it being understood, that the change corresponds to a permanent transfer.

Changes in job categories (reassignment) for permanent teaching staff imply a change of status to probation. The requesting teacher must have a regular teacher's certificate in the category where he requests the reassignment and be highly qualified (HQT).

Teachers interested in requesting a relocation-reassignment for a position that requires a license from the Examining or Collegiate Board must have these documents in force at the time of completing the application; These documents must be valid at the time of applying for employment. The teacher must comply with the dates established in the call to submit the documents mentioned here and must deliver them in the corresponding educational region. Partial deliveries will not be accepted. The teacher will not appear in the list of eligible students without complying with the provisions of this subsection.

Upon the transfer of an employee, the Change Report (Form 409) will be completed, to indicate the name of the school and the need for service, as described in this circular letter and the Teaching Staff Regulations, in the box provided for observations. The teaching staff and the director of the educational region will sign the Change Report in the corresponding box.

F. Recruitment

The recruitment of teachers will begin as of the month of April of each year in the educational regions. A registry of income shifts of eligible persons will be established by categories and school districts, in which the candidates who hold a regular teacher certificate will be established.

The educational regions must publish the vacant positions authorized by categories in a visible and accessible place to the public. In compliance with the ESSA Law, teachers who are recruited must be highly qualified, as defined above.

F.1. General principles on recruitment

1. Applicants who wish to enter the teaching profession and have a regular certificate of teaching staff in the category for which they apply may apply for employment. The purpose of this requirement is to comply with the federal and state regulations applicable to the teachers of the Department of Education.
2. Applicants to the teaching profession, as a condition to be included in the Register of Eligible Income Turns, must submit the documents indicated below:
 - a. Certificate of Filing of Contribution Worksheets on income of the last 5 years (Form 6088) if he was required to file a return. If you did not have to file a return, the Form SC 2781 must be requested from the Department of the Treasury.
 - b. Copy of Form DD-214 for licensed veterans honorably, in the cases that apply.
 - c. Form for Claiming Disability Score in accordance with the Equal Employment Opportunities for Persons with Impediments Act, Act No. 81-1996, as amended, in those cases in which it applies (Schedule IV).
 - i. The Employee Assistance Program (PAE) staff will evaluate the form and determine if the disability qualifies. Then, you will refer the form to the Personnel Recruitment Division for the award of the corresponding score.
 - d. Certification of teaching experience, either in accredited private schools of Puerto Rico, in public and private schools in the United States or in the Head Start Program. The certification must include the day, month and year of the work, work schedule, level and category (s) that he or she taught and the evaluation, in the cases in which it applies (Schedule V).
 - e. License of the Board of Examiners and evidence of the registration, in the case of occupations regulated by law, in the cases in which it applies. These documents must be valid at the time of applying for employment.
3. The applicant to the teaching profession must comply with the dates established in the call to submit the documents mentioned here and must deliver them in the corresponding educational region. Partial deliveries will not be accepted. The applicant for income will not appear in the list of eligible persons without complying with the provisions of this subsection.
4. Applicants interested in entering the teaching profession but who do not have a regular certificate of teachers in the selected category may also complete an application for employment. These applicants will be included in a list of provisional candidates, which will be established by category and district. These lists do not make turn records.

F.2. Registration of Eligible Turns

The list of names of persons that may be considered for appointment in a given category is called the Eligible Shift Register. The names are placed in descending order of scoring, according to the evaluation criteria established in the recruitment norms. Among these is the general academic index which will be increased from 2.50 to 3.00 within the following period:

2011 - 2013 - 2.50 points

2013 - 2016 - 2.80 points

2016 - 2017 - 3.00 points

1. Registration of Eligible Turns

Eligible shift records include candidates who hold a regular teacher's certificate.

The teaching staff interested in being included in the Register of Eligible Turns must be highly qualified.

2. The following guidelines will be met in relation to the Eligible Turn Record:

The Auxiliary Secretariat for Human Resources will prepare a register of eligible persons for each of the categories of posts indicated in the call for recruitment of teaching staff. The validity of the eligibility records will depend on their usefulness and suitability to meet the needs of the service.

- a. The availability of the eligibility records will be notified in a newspaper of general circulation. As of that moment, a period of **10 calendar days** begins during which the candidates, who consider that their turn was not assigned to them in accordance with the established norms, may request a written review (claim). The resulting claims will be interspersed in the Eligible Turn Record.
- b. Candidates may request a single review (claim). This request will be channeled through the Internet at the electronic address www.registro.de.gobierno.pr. Claims that have not been submitted within the period established in this circular letter will not be addressed.
- c. Shifts interspersed in the Eligible Turn Record as a result of a claim will not invalidate teacher appointments that have been made. Candidates with interspersed shifts will be considered for appointment as soon as the interspersing of shifts in the educational region is received. This information should be available to interested parties.

3. List of provisional candidates

- a. Candidates who do not have a regular certificate of teacher in the category they request.
- b. The list of provisional candidates is used when the Register of Eligible Turns is exhausted or when special recruitments are not necessary.

The list of provisional candidates is an exception in the process of recruitment of teaching staff. These lists are established to meet the needs of teachers in the classroom and streamline the recruitment process.

In these lists, no turn claims will be processed.

The regional director may make special recruitments, prior to using the lists of provisional candidates, if necessary.

F.3 Interview Process for Transfers and Recruitment for Registry of Eligible Turns

1. Citation for interviews

a. The director of each educational region will establish a calendar of interviews for the transfers and the recruitment of the teaching staff, which should be kept updated and in a visible place. The candidates will be cited according to this calendar.

b. The citation for interview will indicate the category of the position, date, time and place of the interview. The candidate should be advised of the requirement to present a picture ID when attending the interview. The citation will be sent at least three (3) calendar days in advance. The term of three (3) days shall begin to count the day after the correspondence is deposited in the mail, as indicated on the postmark. The interview cannot be conducted before the three (3) days mentioned here have elapsed.

c. When there is an urgent need to hire teaching staff, the representative authorized by the secretary or the regional director may conduct the interviews by telephone call. They will be made through the use of the Eligible Registry in strict order of turn. The candidate will be given the job number, category, status, school, district and municipality of location. Notification of this will be necessary three days in advance, but the action may be carried out immediately.

d. A detailed record of the calls made will be kept, including the date of the call, the name of the candidate interviewed, his identity duly accredited and whether the candidate accepted or rejected the offer of the position. Failure to locate the corresponding candidate by telephone call and according to the strict order of turn will proceed to quote by letter.

2. Interviews

a. They will take place from Monday to Friday or during weekends and holidays, when necessary.

b. Every person who appears at an interview will register your signature and must present an identification with photo and signature.

c. Other people will not be accepted on behalf of the candidates cited for interview. Any exception to this rule will be evaluated and approved by the director of the educational region.

d. If for justified reasons the appearance of the candidate to the The interview was later than the time it should start, but before the end of the process, you will be admitted to the interview and will be considered for appointment in the remaining opportunities.

e. If the candidate appears after having passed the interview time, the regional director will evaluate and determine if he accepts the reasons for the delay; if they are accepted, their name will be considered to be cited the next time positions are offered in the same category.

3. Selection of candidates

a. The selection of candidates included in the Shift Registers Transfer and payment will be made in strict order of shifts.

b. A candidate who rejects the offer of employment prior to being selected (transfer or admission) will not be considered for future actions during the term of the school year. The candidate must indicate in writing the reasons that justify his decision. It will be the responsibility of the regional director to request this justification, through the use of the Form to reject the offer of employment or to decline the appointment. The name of the candidate or teacher will be disqualified exclusively from the registry where he rejected the job offer, (Annex VI).

c. The name of a candidate who appears in the Eligible Registry will be disqualified from all eligible income records when accepting an appointment of teaching staff with probatory or permanent status, as provided in the Teaching Staff Regulations of December 23, 2003, as amended.

d. Candidates who participate in an interview process and are selected as teaching staff with transitory status will be considered only for a transitory appointment during that school year, which will constitute a job to be appointed.

These teachers must comply with the validity of their appointment, established in the Notice to Transient Employees (Contractual Letter). If they do not meet this employment condition, they will not be eligible for another appointment until the next school year. This is essential to ensure continuity in the teaching-learning process (Annex VII).

e. The regional director or his authorized representative is responsible for guiding candidates on this provision at the time of the interview. This provision shall not apply to short-term appointments.

4. Specific requirements that must be considered

The specialty of the position must be identified according to the need for service, before recruiting teachers in the categories indicated below. The Eligible Shift Registers of these categories indicate the specialty of the teacher's certificate that the applicant possesses. Each candidate appears with the shift number indicated in the record and is eligible in that specialty in which he has one or more of the following teacher certificates:

The appointments in these registries will be carried out according to the specialty, following the strict order of the shifts, according to the certificate that the candidates have in the registry, the category and specialty of the position that is going to be covered.

In the category of Commercial Education, for the training programs of the Clerk and the Office of Information Processing Office, teachers can be recruited with any of the certificates indicated.

In box 20 of the Change Report (Form 409), the specialty of the position must be indicated.

The selection of teachers to positions with combined teaching programs will be made of the Register of Eligible Turns corresponding to the category in which they have assigned the largest number of groups of students. To comply with the Federal Highly Qualified Teachers (HQT) Act, the teacher must meet the three requirements established for the core subject and demonstrate competence in the additional core subjects taught. It is understood that the teacher with a combined teaching program must have the highest academic load in the position category (specialty) in which he holds the regular teacher certificate.

F.4.a Interview process for candidate lists Provisionals

The process of recruiting half of the lists of provisional candidates and the administration of these lists will be the responsibility of the regional director.

1. Citation for interviews

- a. The citation of the candidates for interviews will be done according to the candidate's position in the lists.
- b. The director of each educational region will establish a calendar of interviews, if necessary, for applicants included in the lists of provisional candidates. These interviews will be conducted as long as the Eligible Turn Record has been exhausted. Candidates will be scheduled according to this calendar.
- c. The citation for interview will indicate the category of the position, the date, time and place of the interview. The candidate should be advised of the requirement to present a picture ID when attending the interview.
- d. When there is an urgent need to hire teaching staff, the regional director or the person who delegates may lead the interviews by telephone call.

and. If an interview is scheduled, it can be held Monday through Friday or during weekends and holidays, when necessary.

f. Any person who appears in an interview will register their signature and must present an identification with photo and signature.

g. Other people will not be accepted on behalf of the candidates cited for interview. Any exception to this rule will be evaluated and approved by the director of the educational region.

h. The candidate must present an original transcript of credits evidencing his academic preparation and the credits obtained in the category (specialty) requested. If you do not present this document, you will not be considered for an interview and you will lose the opportunity to be selected.

i. If the candidate does **not** appear at the interview or appears after the interview has been carried out, he or she will **not** be interviewed or considered for appointment at that time. However; may be cited at a later time in the other lists where his name appears.

2. Selection of candidates

a. The selection of candidates will be made according to the candidate's position in the lists and the evidence presented in the interview.

b. A candidate who rejects the offer of employment will not be considered for future appointments during the term of the school year.

c. Candidates who participate in an interview process and are selected as teaching staff with transitional status will be considered for a single transitional appointment during that school year, which will constitute a condition of employment to be appointed. These teachers must comply with the validity of their appointment, established in the Notice to Transient Employees. If they do not meet this employment condition, they will not be eligible for another transitional appointment until the next school year. This is essential to guarantee continuity in the teaching and learning process (Annex VII).

3. The regional director or his authorized representative is responsible for guiding the candidates on this provision at the time of the interview. It will not apply to short-term appointments. Neither will it apply if the candidate is considered for an appointment with probatory status.

F.4.b. Special recruitment

1. General principles

The regional director will notify the Auxiliary Secretariat of Human Resources through written communication of the reasons why the special recruitment process will begin. The teaching staff will be selected by special recruitment in accordance with the following provisions:

a. Regular schools:

- i. There are no Eligible Shift Registries.
- ii. The Turnes de Eligibles Registry was sold out.
- iii. There are no lists of provisional candidates or you did not use these lists because of the need for the service.

IV. Maternity licenses.

V. Short term appointments - six (6) months less.

b. Special recruitments will be made for appointments in all subjects in:

- i. Specialized schools
- ii. Technological Institute of Puerto Rico (ITPR)
- iii. School of Troquelaría and Herramientaje (ETH)
- iv. Puerto Rico Aviation Maintenance Institute (PRAMi)
- v. Youth institutions
- vi. Private centers
- vii. Nonprofit organizations
- viii. Innovative projects and special programs of the Department.

* It will be understood by innovative projects and special programs the realization of a set of activities and specific areas that will be developed within a strategic plan, in order to improve the methods, materials and teaching strategies, by introducing new elements to increase the use of the students deliberately, planned and systematically.

Among the projects and special programs are considered, without limitation, the following: the multigrade system; bilingual and language schools; and residential life schools; among others.

2. Calls

The calls for special recruitment for the ITPR, ETH and PRAMi will be the responsibility of the Technical Education Program attached to the Auxiliary Secretariat of Occupational and Technical Education. The interview committee will be chaired by the Technical Education

Program. The Technical Education Program will coordinate the calls with the corresponding educational region.

Calls will be notified by the most appropriate means of communication so that interested persons can compete for appointment. Appropriate media are considered, among others, the following: radio, television, written press, Internet, communications with professional organizations, labor, education and civic organizations, official interagency communications, bulletin boards and other means that can reach interested persons.

The calls for special recruitment must be published in the office of the educational region, in the office of the superintendent of schools and in the school or campus of the Technological Institute of Puerto Rico of the corresponding district during 4 working days, before the date of the interview. The candidate must comply with the requirements established in the call.

The call must specify the area of specialty within the academic subject, in accordance with the courses offered by the teacher.

Example:

Visual arts:

- a) Graphic Arts
- b) Sculpture

Theater:

- c) Performance
- d) Clothing

3. Interviews

When making special recruitments, the interview committee will be constituted by a minimum of three of the following officials:

- a. regional director or his authorized representative;
- b. director of the school, special project, program or center where the vacancy exists;
- c. director of the program at the central level or his representative, if applicable;
- d. Director of Specialized Schools Unit or his representative, if applicable;
- and. director of the ITPR, assistant secretary or his representative, if applicable;
- f. representative of the human resources area (optional).

Candidates who appear at the interview and who do not have a regular teacher's certificate in the category of the position must meet the following requirements:

a. Minimum academic index, as indicated below:

2013 - 2016 - 2.80 points

2016 - 2017 - 3.00 points

b. In the category of Industrial Occupational Education, the minimum academic index will be 2.00, due to the traditional difficulty for their recruitment.

c. Sixty credits leading to the baccalaureate degree, of which nine must be in specialty courses of the vacant position that will be covered, as evidenced by the official transcript of credits.

The requirements mentioned above must be contained in all the calls for special recruitment.

The committee will evaluate the candidates and ensure that appointments are made by taking into consideration their suitability and capacity. The score included in the document called Criteria for Assigning Scoring in Special Recruitments (Annex VIII) will be used. These are:

- a. Academic preparation
- b. Credits in the specialty
- c. academic index
- d. Teaching experience
- e. Regular certificate of teachers, if applicable
- f. Oral interview
- g. Execution, if applicable
- h. Portfolio, if applicable
- i. Veteran or qualified disability

In the case of technological institutes, the criteria established in the document Criteria for evaluation of candidates for the selection of teaching staff of the technological institutes of Puerto Rico (Annex IX) should be used.

In the case of the School of Troquelaría and Herramientaje and the PR Aviation Maintenance Institute, the criteria established in the document Criteria of evaluation of candidates for the selection of the teaching staff of the School of Troquelaría and Herramientaje and the PR Aviation Maintenance Institute should be used. (Annex X).

4. Selection of candidates

a. If a candidate with a regular certificate of teacher in the category attends the interview and is highly qualified for the position, this will be the one selected, with the exception of posts in specialized schools, innovative educational projects and special programs of the Department.

b. If there is more than one candidate with a regular certificate in the position category, Annexes VIII, IX, X, as the case may be, will be used. The candidate who has obtained the highest score will be selected.

c. If there is more than one candidate with a regular certificate in the position category, the criteria of annexes VIII, IX and X, as the case may be, will be used to select the candidate.

d. In the event that candidates with a regular certificate do not appear in the position category, the committee will select the one that obtained the highest score. If two candidates obtain the same score, the selection of the candidate will be made by the vote of the majority of the members of the committee.

and. The interview committee will recommend the selected candidate through the document called: Recommendation of candidates by special recruitment for teachers of school, center, institute, program or project (Annex XI).

F. If a candidate who does not meet the minimum requirements attends the interview, the committee may select the candidate with one (1) single interview, if necessary. The committee must certify in writing on Schedule XI the reasons for making the selection.

g. A candidate selected by special recruitment to teach one or more of the core academic subjects and who does not possess at least a baccalaureate and a regular teacher certificate, will have to sign an agreement to participate in a teacher certification program in the subject for the who has been hired.

h. Specifically, a candidate who is not highly qualified at the time of recruitment may not be appointed to a position funded by federal funds of the Class Size Reduction Program.

5. Specific requirements that must be considered

a. By categories

1. English - The applicant must pass a proficiency test in English, administered by the English Program Director or their designated representative. In addition, the candidate must have skill in oral and written expression in this language.

2. Master librarian - The candidate must have a minimum requirement of a master's degree.

3. Industrial Arts in Special Education and Home Economics in Special Education - Priority will be given to the applicant whose specialty is in special education with special skills in industrial arts or home economics.

4. Teacher for the school band - The applicant must have the regular certificate of general instrumental music teacher and experience in the participation and direction of bands and musical groups.

5. School counselor - The applicant must have the current professional counselor's license, issued by the Examining Board.

6. School social worker - The applicant must have the social worker's license and current licensing.

b. Pair type of schools

i. Bilingual - The candidate selected to work in these schools must meet the following requirements:

1. Be certified by the Department of Education at the level and content area taught. The certificate must be valid.
2. Demonstrate oral and written competence in the Spanish and English tests (English Proficiency Test - English Proficiency Test).
3. Present two letters of recommendation.
4. Be willing to work in flexible schedule and curriculum.

ii. Specialized - Mastery of the subject and performance in the following disciplines will be essential: general instrumental music, vocal general music, music teacher, Olympic sports, theater, visual arts and communication, among others. To teach a musical instrument, the candidate must have mastery of the instrument he is going to teach. Every candidate who appears for an interview for a position in these schools must present their certification of teacher in the specialty and a professional portfolio that must include the official documents that certify their credentials, such as: transcripts of credits, certificates of the workshops or seminars in which you have participated, teacher certificates you have, letters of recommendation from places where you have had work experience and other relevant documents. If the position is in one of the basic academic subjects, as provided by the ESSA Law, the candidate must meet the requirements of HQT.

iii. Technological institutes, School of Troquelaría and Herramientaje and Puerto Rico Aviation Maintenance Institute

Every candidate who appears for an interview for a position in the technological institutes of Puerto Rico, the Puerto Rico Aviation Maintenance Institute and the School of Troquelaría and Herramientaje must present a professional portfolio that contains the official documents that

certify their credentials, such as: transcripts of credits, licenses of the corresponding examining boards; certificate in Troquelaría y Herramientaje issued by a non-university post-secondary institution authorized to operate in Puerto Rico; certificates of workshops or seminars in which he has participated; teacher certificate in technological institute; letters of recommendation from places where you have had occupational, industrial and university experience; as well as other relevant documents. For the positions of the technological institutes, the PRAMi and the School of Troquelaría and Herramientaje, the interview committee must use the Criteria for evaluation of candidates for the selection of teaching staff (annexes IX and X), in addition to the selected questions. The certificates of teachers of the elementary or secondary level do not constitute a regular certificate of teacher for the positions located in the technological institute, in the PRAMi and in the School of Troquelaría and Herramientaje.

F.5. Requirements in special projects belonging to:

1. Office of Federal Affairs - teachers and school social workers of the Puerto Rico Even Start Program:

- a. Have a regular certificate in the category in which the position is assigned.
- b. Comply with the requirements of the ESSA Law
- c. Have a social work license.
- d. Have the membership up to date.
- e. Have approved courses, credits or seminars in family literacy, preschool education and adult education.
- F. Present professional evidence
- g. Have the ability to lead groups.

2. Sister Schools Project. Montessori schools and other projects

- a. Have a regular teacher's certificate in the category in which the position is assigned, or regular teacher's certificate in Montessori education.
- b. Have a regular teacher certificate in the position category.
- c. Comply with the requirements of the ESSA Law
- d. Have a certificate in Montessori studies issued by an institution accredited by the national or international association, where applicable.
- e. Have credits in Special Education, in the cases that apply.

3. Associate Secretariat for Special Education

- a. Collaborative Consultative Model

- i. Have a regular certificate of Special Education teacher.
- ii. Have received specialized training or have certification in communication disorders or preparation in the area of education for the deaf.

b. Emotional Disturbance

- i. Have a regular certificate of Special Education teacher.
- ii. Comply with the requirements of the ESSA Law and the Individuals with Disabilities Education Act (IDEA, for its acronym in English) for the recruitment of Special Education teachers.
- iii. Have approved courses, credits or seminars in the area of behavior modification.
- iv. Evidence that you have professional training related to these disabilities.
- v. Have approved courses, credits or seminars in the area of behavior management.
- vi. Have professional experience

c. Special Project of the Down Syndrome Foundation

- i. Have a bachelor's degree in arts with specialization in Special Education.
- ii. Have received specialized training aimed at the implementation of specific service modalities.
- iii. Present evidence of having professional training related to this disability.
- iv. Have experience in teaching students with Down Syndrome.

4. Technical Assistance Advisory Committee (CAAT)

Special Education teachers, school social workers, and school counselors must have a regular teacher's certificate in the position category. In addition, they must have the following requirements:

- a. Have a certificate of training in technological assistance.
- b. Have six or more courses of technological assistance at the university level.
- c. Have experience in the provision of technological assistance services at the level of educational region, school district or school.
- d. University credits may be substituted for experience in the provision of technological assistance services, if you have a certificate of training in technological assistance with a minimum of eighty (80) hours.

5. Special Education Services Centers

- a. Have a regular teacher's certificate in the category in which the position is assigned.
- b. Have a license from the corresponding examining board, if applicable.
- c. Have current membership, if applicable.
- d. Possess two years of experience in Special Education.

6. Models of educational services and related to inclusive environments with school promotion

a. Requirements:

- i. Have a regular teacher's certificate in the category in which the position is assigned.
- ii. Have two years of experience in services to the Special Education population.
- iii. Have command of English and Spanish.

7. Auxiliary Secretariat of Occupational and Technical Education - Hospitality and Tourism
(for language teaching in multimedia laboratories)

- a. Have a regular certificate of Secondary English teacher.
- b. Have skill in the use and management of computers.
- c. Have verbal and written communication skills in English and Spanish.
- d. Show willingness to work as a team.

8. School Health Program - Puerto Rico Abstinence Program (PRAEP)

- a. Have a regular certificate of School Health teacher.
- b. Possess availability to visit various educational centers.

G. Request and approval of posts

The Assistant Secretary of Occupational and Technical Education, the Associate Secretariat for Special Education and the Office of Federal Affairs must analyze the request for positions and resources that will be needed as part of the academic organization's process.

If it is determined that you cannot cover all the job requirements with the staff, then the requests, reassignments or transfers of positions with the relevant justification will be submitted.

G.1. Information to be provided

1. Any application for a position, request for a new creation or reassignment of teaching positions will be carried out in schools and educational regions by means of SUMAP and SUMAP-Reassignments.

2. Any relocation of teaching positions will take place in the educational regions of SURPI.

These actions will be carried out in accordance with the dates established in the circular letter of school organization and in the current calendar prepared by the Auxiliary Secretariat of Human Resources.

G. 2. Processing of forms and other considerations

1. Requests for positions and requests for transfers of posts (temporary and regular) vacant or occupied, corresponding to the Associate Secretariat of Special Education, the Assistant Secretary of Occupational and Technical Education and the Office of Federal Affairs will be processed in coordination with these offices to get their approval.

2. These offices will be responsible for requesting authorization or certification of funds for state positions from the Budget Office, before requesting the assignment of the position number to the Auxiliary Secretariat for Human Resources. The rest of the requests will be submitted directly to this auxiliary secretariat.

3. All posts must be authorized by the Office of Management and Budget during the validity of Act No. 66-2014.

4. Before filling a position funded by federal funds assigned by the Federal Affairs Office, it must be verified that the funds are authorized.

5. All vacancies will be authorized as temporary depending on the availability of funds and the need for the service. Each program will certify the account figure and the availability of funds for positions funded with federal funds. The Classification and Retribution division of the Auxiliary Secretariat for Human Resources will proceed with the authorization of the position.

6. Vacant positions assigned to schools will not be relocated unless the regional director certifies that the circumstances that gave rise to their authorization changed; provided that the school where the post will be relocated will have the funds to pay for it.

7. Reassignments of vacancies in other categories may be carried out as long as the need for the service is justified and the assigned budget of the school is not affected.

8. Relocations, reallocations and transfers of posts assigned and covered by the Occupational Program, Special Education and the Office of Federal Affairs must be authorized by their respective programs in advance to make the change.

9. The Undersecretary of Administration will evaluate requests for positions for youth institutions, private centers and non-profit organizations.

10. For the ITEC, the PRAMi and the ETH, once the Auxiliary Secretariat for Human Resources approves the requests for posts submitted by the Technical Education Program and the Auxiliary Secretariat for Occupational and Technical Education validate the availability of funds, according to the certification from the Budget Office, vacancies will be filled through the recruitment rules established in this circular letter.

11. Posts that are relocated, reassigned or transferred to other districts and regions with the authorization of the regional director will not be authorized again at their original locations. It will be understood that these positions are not necessary.

H. APPOINTMENTS

H.1. General requirements for admission to the public service

1. Act No. 184-2004, Law for the Administration of Human Resources in the Public Service of the Commonwealth of Puerto Rico, provides that the following persons shall be ineligible (non-working) for employment in the public service:

- a. Those who have engaged in dishonorable conduct.
- b. Addicts for habitual and excessive use of controlled substances or alcoholic beverages.
- c. Those convicted of a felony or for any crime that implies moral depravity
- d. Those who have been dismissed from the public service.

2. No appointments will be made to persons who have been convicted of serious crimes or any crime that implies moral depravation. This limitation shall not apply to the person who has been authorized to hold public office by the director of the Office of Training and Labor Advice and Administration of Human Resources of the Commonwealth of Puerto Rico (OCALARH) and who has been authorized by the secretary of Education. The candidate must present the certification of authorization and the authorization issued by the Secretary of Education.

3. Application and Certification of Eligibility Status for Public Service and Application and Certification of Eligibility Status in accordance with the Provisions of Act No. 70. The Department will require the OCALARH the eligibility status of any candidate included in the records after that these be published. The Department will provide the OCALARH with an electronic file with the names of all the candidates, in order for it to provide the corresponding status certification. The OCALARH will provide certification of status and the Auxiliary Secretariat of Human Resources will send a copy to the human resources offices of the educational regions. Before processing any appointment, the educational region will ensure that the candidate has been certified as eligible by the OCALARH.

In any appointment, the Department will send to OCALARH the form called: Application for certification of eligibility status for public service. Special memorandum No. 33-2001, issued on October 2, 2001 by OCALARH, establishes the obligation of each appointing authority to use

the aforementioned form in order to verify the eligibility of candidates for employment. For these purposes, the Department will require to OCLARH the eligibility status of any candidate who has accepted an offer of employment before the appointment.

H.2. Tests for the detection of controlled substances

Act No. 78-1997, Law to Regulate Testing of Controlled Substances in Public Employment, establishes that it is considered necessary and convenient to require evidence for the detection of illegal use of controlled substances since there is a pressing interest to eradicate its use. illegal. Article 11, on the requirement of use of the Regulation of tests for the detection of controlled substances of the Department of Education, establishes that:

"(to)....

(b) The tests will be administered no later than twenty-four (24) hours, counted from the notification to the candidate for employment of his pre-selection. Each candidate will submit to only one (1) drug test at the time of being pre-selected, regardless of the number of positions requested or the number of interviews attended, either in different regions or school districts or at the central level.

The result of said test shall be admissible for all positions for which the candidate for employment has been preselected for the incoming school year, having been pre-selected prior to beginning the school year or for the current school year, having started the year school at the time of being preselected. Under no circumstances will the test be repeated. "

All preselected candidates will be given a copy of the Regulation of the testing program for the detection of controlled substances in officials and employees of the Department of Education and agencies attached to this agency and will be required to sign a receipt as evidence that it was delivered of the same. You will also be immediately given the Authorization document to be tested for controlled substances in the laboratory identified by the Department of Education.

The candidate who has 24 hours to perform the test will be informed from the moment he is pre-selected. If the test is not carried out in this period, the candidate loses the opportunity of employment.

The refusal of a candidate to submit to the test or a positive result corroborated in it will be sufficient cause to deny him employment. Once the negative result of the test is received, you will be asked for the corresponding documents for appointment.

The preselected candidates, whose tests for the detection of controlled substances were positive, must present in the Office of Controlled Substances of the Assistant Secretary of Human Resources a rehabilitation certificate issued by any public or private institution recognized by the Department of Health in order to be eligible again.

H.3. Appointment process

Once the candidate's eligibility for the appointment process is certified, he / she must submit the following documents:

1. Oath of Fidelity, for each appointment.
2. Certificates of Exemption for Retention 499-R-4 (2 copies).
3. Form of Drug Free Work Areas.
4. Form 1-9.
5. Medical history form, which will last one year.
6. Photocopy of the social security card.
7. Negative Certification of Alimony Pension issued by the Administration for the Support of Minors (ASUME), required pursuant to Act No. 5-1996, as amended, better known as the Organic Law of the Administration for the Support of Minors. This certificate can be requested on the website www.pr.gov. It must be valid at the date of appointment.
8. Evidence of having been tested for the detection of controlled substances. It will last one year.
9. Criminal Record Certificate with less than six months of expedition.
10. Certification of File of Contribution Form on income of the last five years previous to the appointment, if it was forced to render it. If you did not have to file returns, you must complete the information form on your income tax return. (This does not apply to appointments made by the Eligible Registry).
11. Certification of compliance with Act No. 66-2014, as required by the Office of Management and Budget, while this law is in effect.

The nominations of candidates who only submit the receipt of the request for the Criminal Record Certificate will not be processed.

The selected teachers must present the documents required for the appointment within three working days following the acceptance of the position. If you do not deliver the required documents in this term, the position will be considered vacant.

H.4. Processing of documents (educational region)

1. Report on new employees (Form ASM-5)

The educational region is responsible for sending ASUME the form ASM-5, Report on New Employees. It is imperative that this form be completed in all its parts. Law 5-1986 provides that every employer must inform the recruitment or hiring of any person within the first 20 calendar days after having begun to provide services.

Failure to comply with this provision is a violation of current legislation and entails the imposition of a penalty.

2. Change report

a. All change reports (Form 409) must be accompanied by the documents submitted by the candidate, as mentioned in section F.2 of the previous section. When making an appointment with transitory status, in a regular position with a property employee, indicate to whom the position belongs and the reason why a substitute is being appointed. In box number 26 of the Change Report, the period of duration of the appointment must be indicated (start and end dates).

In the observations section it will be indicated that the appointment will be conditioned to the date of the reinstatement of the employee in property. This provision also applies to short-term appointments.

b. When in the processed appointments the strict order of the shifts is not followed, the observations section will indicate the following: "The teachers in the previous shifts did not accept appointment or did not appear for interview".

3. Notice of temporary appointment

A teacher who receives an appointment with transitory status will be given a copy of the notification of his / her appointment (Attachment VII).

H.5. Vacant vacancies and other provisions

1. Authorizations for vacant posts will be addressed through the following procedure:

a. During the second semester of the school year, the school principal will receive a report on the number of positions and resources needed for his / her school, based on the official information of enrollment data obtained from the SIE. The superintendent of schools and the regional director will analyze the exceptional requests for positions and resources submitted by the school directors, through SUMAP-ESCUELA and will submit them to the Assistant Secretary of Human Resources at the central level for the corresponding evaluation through the SUMAP system. The regional director will carry out the relocations due to the necessity of the service, with prior authorization from the Auxiliary Secretariat of Human Resources.

b. After the positions are authorized, the regional director will carry out the transfers and the recruitment of teaching staff within the established term.

c. Once the school year has begun, positions that are vacant may be filled through authorization from the Auxiliary Secretariat for Human Resources. These positions will be authorized as transitory.

d. Teachers with probationary status who move to another position category will begin a new probationary period.

e. The granting of probatory or permanent status will be handled in accordance with the guidelines issued by the Secretary of Education and will be conditioned to the legal provisions and the current fiscal situation.

I. Appointments in cases of abandonment of service

The director of the school will notify the director of the educational region when the teaching staff incurs abandonment of service. The director of the educational region will proceed to process a report of Change for abandonment of service, in cases such as those described below:

1. Teaching staff with probatory or permanent status who do not show up for work during the first five working days at the beginning of the school year without having previously presented a reasonable excuse.
2. Appointed teaching staff who does not show up at their work area in the effective date of his appointment without just cause.
3. Teaching staff who, after beginning the school year, leave their position for five or more working days without the proper authorization of the school principal.
4. Teaching staff that has requested a license with or without salary and is absent from their duties without having obtained the authorization of the same.

The directors of the educational regions must exhaust all available resources to communicate with teachers with probatory or permanent status who do not show up to take their positions. The evidence supporting this action must include all documents indicating the steps taken to communicate with the teacher. At least three communication procedures are established, such as: written communications, emails, telephone calls and communications with family members, among others.

The school principal must send these documents to the regional director and the Assistant Secretary of Human Resources to begin the corresponding administrative process.

The regional director must send the Change Report to the Auxiliary Secretariat for Human Resources to process it and refer it to the Legal Division of the Department of Education.

The appointed teaching staff who does not report to their work area on the effective date of their appointment without just cause will be referred to the Auxiliary Secretariat of Human Resources together with the Change Report to be processed and referred to the Legal Division of the Department. of Education. This referral will be the responsibility of the regional director.

J. Short-term appointments

The Department of Education has faced difficulties in recruiting teachers to meet the needs that arise as a result of staff actions, which require that an incumbent be appointed for a period of six months or less, such as:

1. maternity leave
2. medical-family license
3. unpaid leave
4. special sports licenses and others of this type
5. terminations of employment.

The educational region will carry out special recruitments to cover the needs resulting from the aforementioned actions. If an applicant is appointed to a short-term position, he or she will not be called for another short-term position until the first appointment ends. The candidate will remain in the Eligible Registry.

In the observations section of the Change Report it will be indicated that the validity of these appointments is conditional upon the reinstatement of the incumbent in ownership of the position.

K. Final provisions

Any officer or employee who violates these rules may be subject to disciplinary measures in accordance with the provisions of current legislation and applicable to the agency.

Any exception to the rules set forth in this circular letter must be authorized by the Secretary of Education or the Assistant Secretary of Human Resources.

This circular letter repeals the provisions of circular letter number 22-2014-2015, as well as any other rule established by circular letter, memorandum or other document that conflicts, in whole or in part, with the provisions that through this they are implanted.

Cordially

Prof. Rafael Román Meléndez

Secretary