



Universidad de Puerto Rico, Recinto de Río Piedras

April 27, 2017

Betty Coughlin
Division Director
Federal Student Aid
An Office of the U.S. Department of Education
830 First Street, NE
Washington, DC 20202

Dear Director Coughlin:

PAReS (literally “Peers”) is an alternative resistance group created by tenured and adjunct faculty members of UPRRP, during the student strike that began in March 2017. As educators from diverse fields, we have joined forces to create an open and democratic space for discussing the crisis and proposing relevant action. Our specific focus is on the budget cuts to Puerto Rico’s public services and institutions, a process that undermines their stability and very existence. Our members include former department chairs, deans, associate deans, chancellors, members of the Central Administration and members the Board of Trustees of the UPR. Although our group does not claim to represent the views of the entire UPRRP community, our numbers grow daily as we sustain a collaborative dialogue with other individuals, groups and organizations inside and outside the UPR community.

Dr. Carmen Haydee Rivera, acting chancellor of UPRRP, shared the letter you sent her on April 18, 2017 with the UPRRP community. In your letter to Dr. Rivera you state that the cessation of instruction due to the student strike had triggered a change in our status with the Department of Education, in other words, that we lost our eligibility to participate in HEA student assistance programs and other programs under the HEA. In your letter to Dr. Rivera, you cite 34 C.F.R.§§ 600.40(a)(1)(iii) of the Higher Education Act of 1965 as amended: “The institution or location ceases to provide educational programs for a reason other than a normal vacation period or a natural disaster that directly affects the institution, particular location, or the students of the institution or location.” We respectfully submit the following information hoping that you find it relevant to reconsider your determination and to reassess the real threats to our institution. We are sending a copy of this letter to Dr. Carmen Haydee Rivera, acting chancellor of UPRRP.

Strikes are not new in the history of the UPR. If we claim to teach our students critical thinking, it is only reasonable that they show their opposition to what they see as irrational and unfair actions against their rights and the rights of the people of Puerto Rico. During the 2010 student strike that lasted 62 days, it was the UPR administration that requested and authorized the entrance of the state police, mounted police and SWAT units onto campus, disregarding the existing policy of non-violent confrontation. The display of police brutality towards the clearly unarmed students harmed the academic community’s trust in the university administration. The lack of communication between the administration and the academic community during this period led to the Middle States Commission on Higher Education’s determination to place our institution

on probation based on Standard IV. Leadership and Governance. Nonetheless, our eligibility to participate in HEA student assistance programs was not revoked.

We understand your concern for the “lost” teaching sessions and the institution’s plans to make up for them. So far, however, we have only “lost” four weeks of class which add up to nearly 12 class hours. In the worst-case scenario for this semester we will have lost 21 class hours that can be easily made up for with an adjustment to the academic calendar. As you may know, we have a consistent record that shows how, after hurricanes or strikes, the UPR has always complied with the mandatory teaching hours. In fact, to make the necessary adjustments to the academic calendar in the event of a strike or a hurricane, the Registrar’s academic calendar clearly states that it is subject to change.

What is at stake here are not the missed class hours for the current semester, but rather the very existence of our public university due to the draconian budgetary cuts imposed to the UPR by the Fiscal Oversight and Management Board of Puerto Rico. The purpose of these cuts is to pay for debts incurred by the government of Puerto Rico, which have not been audited, despite the efforts of diverse groups including our students. In less than a month the cuts imposed on the University of Puerto Rico went from \$241 to \$300 million, then to \$450 million and, finally, to \$512million in a ten-year period. The adverse impact of these cuts to our university are far more threatening than the student strike and could be even more devastating than a natural disaster because we will never be able to recover from it.

Last month, the Board of Trustees passed Certification 98 2016-2017 to assert that the proposed budget cuts for the University of Puerto Rico, amounting to \$450 million, represent an unreasonable adjustment that lacks any rational and justifiable basis; Certification 99 2016-2017 to agree that the Government of Puerto Rico must conduct an audit of the public debt, to be undertaken by qualified individuals, so that a determination can be made regarding the legality of said debt and the parties responsible for the country’s current economic situation; and Certification 100 2016-2017 to request that the Governor of Puerto Rico express his interest that the University of Puerto Rico continue its efficient and invaluable work, thus maintaining its status of excellence, as it has hitherto done, and that he pledge to do everything in his power to achieve this goal. Shortly before receiving your letter, the Board of Trustees of the University of Puerto Rico rejected a ten-year plan to cut \$512 million from our budget. On April 24, the chancellors from all 11 campuses of the UPR system expressed their opposition to the budgetary cuts to the UPR and their desire to participate in the auditing of the debt. At the risk of losing his position, the chancellor of the Mayagüez Campus called for an email campaign to flood the inboxes of the Governor’s office and the Fiscal Oversight and Management Board of Puerto Rico requesting an audit of the debt and rejecting the budgetary cuts to the UPR. On April 25, acting chancellor of UPRRP, Dr. Carmen H. Rivera, and all her Deans rejected the projected budgetary cuts.

Last week, acting chancellor Rivera told the press that she is committed to create a university commission to audit the debt. Dr. Rivera has also stated that she will not force a non-peaceful opening of the university gates by bringing the police onto campus. Since the beginning of the strike, she has been negotiating with different sectors of UPRRP. On April 6, Judge Lauracelis Roques Arroyo rejected a preliminary injunction and *mandamus* to resume classes submitted by four students of the School of Law. Clearly, Dr. Rivera’s decision is not only the wisest, but the only possible one.

In the latest protests in public spaces, the police sprayed students and professors with pepper spray. A couple of days ago, unidentified policemen arrested two of our students, put them in an unofficial car, and

for a couple of hours their whereabouts were unknown. Amidst escalating displays of force by the police, the support for the university continues to grow on the island and in the international community. Supporters include renowned artists, writers and scholars, such as Nobel laureate economist, Joseph Stiglitz.

Less than four weeks into the student strike and with our record of compliance with semester hours in the past, your determination to revoke the eligibility of the UPRRP for HEA programs, with all due respect, seems premature. Since students take their Pell Grants with them to the university of their choice, your decision only adds to our precarious situation because it will force a migration of students to private universities in the island. Moreover, our first-year students will not be able to apply for Pell Grants. This poses an imminent threat to the future enrollment of students.

We ask you to reconsider your determination and give the UPRRP, your most needed support. Given your experience and knowledge of the higher education system, you could be an unprecedented and invaluable ally to the future of public higher education in Puerto Rico.

As aforementioned, we do not claim to represent the views of the entire UPR community and we understand this is not an official communication from our institution. But we would greatly appreciate that you acknowledge receipt of, and react to this communication. We will gladly send you any additional information you may need. Please, join us in the constructive dialogue we are promoting among different sectors inside and outside the UPR community. You can send us an email to our group account: paresupr@googlegroups.com

Sincerely,

Profesorxs Autoconvocadxs en Resistencia Solidaria (PAREs)

cc Dra. Carmen Haydée Rivera, Acting Chancellor
University of Puerto Rico, Río Piedras Campus