

OFFICIAL COMMUNICATION

ORGANIC STATUTE

Institutional documents

Board of trustees



ITESO, Universidad
Jesuita de Guadalajara

Organic Statute

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ORGANIC STATUTE

ITESO's AIMS

ARTICLE 1.

ITESO, a university entrusted to the Society of Jesus, within the framework of its Fundamental Orientations and its Mission, shall pursue the following aims:

- 1.1. To communicate human knowledge, acquire and generate knowledge, disseminate and expand culture through teaching, research and outreach.
- 1.2. To serve society by forming and training professionals with cultural, scientific and technical preparation; integrated as human persons; open to self-transcendence; oriented by Christian inspiration, so that they can be competent, free and proactive professionals in their field of activity and assume a firm and well-defined commitment in favor of the neediest members of society.
- 1.3. To engage in an ongoing dialogue with culture, scientific knowledge, Christian faith and other religious confessions, and society.
- 1.4. To take part in processes of social transformation to generate comprehensive development alternatives for the good of the country.
- 1.5. To assume the values set forth in the Fundamental Orientations and the Mission and put them into practice in the activities of university life.

ARTICLE 2.

In order to achieve its aims, ITESO shall:

- 2.1. Constantly raise academic quality, both in the educational process of its programs and in the research and outreach projects.
- 2.2. Develop, finance and operate an organization that ensures that all of the university's being and undertakings align with the educational philosophy proposed in ITESO's Fundamental Orientations.
- 2.3. Study and analyze regional, national and international issues and offer society the results and findings obtained.
- 2.4. Contribute, through university activities, to the achievement of the structural changes that society needs.
- 2.5. Guarantee respect for the university community's fundamental human rights.
- 2.6. Promote the community members' organic, collegial and effective participation in university decisions.

- 2.7. Ensure and maintain the conditions of institutional economic viability and a workplace culture and atmosphere of solidarity, respect, collaboration and service so that the personnel can carry out their work responsibly.

GOVERNING LEGAL STRUCTURE

ARTICLE 3.

ITESO's governing legal structure draws on: the international, national, state and municipal legal order; ITESO's Fundamental Orientations; ITESO's Mission; ITESO's Organic Statute; the regulations and guidelines resulting from this structure. All members of the university community are obliged to observe it.

BASIC ORGANIC STRUCTURE

ARTICLE 4.

ITESO's basic organic structure consists of the Board of Trustees, the Rector, the University Council, the University Tribunal, the University Rights Attorney, the General Academic Directorate and the directorates of Administration and Finance, Community Integration, and External Relations, the directorates, departments, centers and offices.

DEFINITIONS

ARTICLE 5.

For the effects of ITESO's governing legal structure, the following definitions shall apply:

- 5.1. **Instituto Tecnológico y de Estudios Superiores de Occidente (ITESO)**, the privately-run university whose higher education studies have the recognition of official validity in the Mexican Republic, as set forth in agreement number 15018 of the Ministry of Public Education dated November 12, 1976, published in the *Official Journal of the Federation* on 29th day of the same month and year. Founded by ITESO, AC on July 31, 1957 and directed by the Mexican Province of the Society of Jesus, AR, it is a university self-regulated and self-governed by the Board of Trustees in the terms of the covenant of indefinite duration entered into by the two associations for the first time on March 7, 1974, and reviewed every five years, in which they have agreed to the terms and conditions for collaborating in university work, in accordance with the spirit of ITESO's Fundamental Orientations.
- 5.2. **University community**, the students, academic and support service personnel, the members of the Jesuit Team and the members of the Councils of Directors and Overseers of ITESO, AC.
- 5.3. **Mexican Province of the Society of Jesus, AR**, the religious association, with its own legal personality, registered with the Ministry of Internal Affairs under constitutive registry number SGAR/841/, in accordance with the Law of Religious Associations and Public Worship.

- 5.3.1. **Jesuit Team**, which acts at ITESO as the group of associates of the Mexican Province of the Society of Jesus, AR, assigned to ITESO by the Provincial to perform different jobs.
- 5.4. **Instituto Tecnológico y de Estudios Superiores de Occidente, Asociación Civil (ITESO, AC)**, the civil association, with its own legal personality, non-profit, constituted through public document number 4874 granted on July 31st of the year 1957 at notary number 12 of the municipality of Guadalajara, Jalisco.
- 5.4.1. **Council of Directors and Council of Overseers of ITESO, AC**, which act at ITESO as collegial bodies of the civil association, with powers of representation and administration as set forth in chapters six and seven of the association's statutes.
- 5.5. **ITESO's Fundamental Orientations**, document that lists the guidelines that govern the university's activities, approved by the ITESO's Board of Trustees on July 31, 1974.

STUDENTS' BASIC RIGHTS AND OBLIGATIONS

ARTICLE 6.

ITESO students are people who are formally enrolled in the educational programs with recognition of official validity of studies and those enrolled in continuing education programs. Their basic rights are:

- 6.1. To receive formation in accordance with the Fundamental Orientations, the Mission, the curriculum of the program where they are enrolled, and to obtain the corresponding accreditations.
- 6.2. To freely express their ideas with due respect for third parties. Public manifestation shall not be cause for any reprimand or questioning whatsoever, or for judgment before administrative or jurisdictional university bodies.
- 6.3. To make use of the university facilities and to engage in activities there in accordance with the provisions of ITESO's governing legal structure.
- 6.4. To associate, organize and elect their representatives before university authorities and collegial bodies in which their representation is provided for, pursuant to the norms in effect.
- 6.5. To take an active part and intervene personally in the institutional processes that affect them in accordance with ITESO's governing legal structure.

ARTICLE 7.

ITESO students' basic obligations are:

- 7.1. To know, respect and assume the Fundamental Orientations and the Mission, and to comply with the other provisions of ITESO's governing legal structure.

- 7.2. To respect the rights of third parties, in particular when exercising the right to the public expression of their ideas.
- 7.3. To establish and ensure independence from external persons and organizations when exercising their right to association.
- 7.4. To take an active part in university life, consciously and responsibly, in accordance with the Fundamental Orientations, the Mission and the other provisions of ITESO's governing legal structure.
- 7.5. To proceed in off-campus settings, in their capacity as students, in adherence to ITESO's principles and governing legal structure.

ACADEMIC PERSONNEL'S BASIC RIGHTS AND OBLIGATIONS

ARTICLE 8.

ITESO's academic personnel are the people hired to facilitate the learning process, foster the formation of values and attitudes, develop knowledge, establish ties with social organizations and institutions, intervene socially, communicate their university work and collaborate with academic organization and development. Their basic rights are:

- 8.1. Those resulting from the corresponding contractual relationship.
- 8.2. To have a basic academic affiliation; to enjoy appropriate working conditions for carrying out the activities defined in their individual contract and in their assigned duties, in accordance with ITESO's governing legal structure.
- 8.3. To have at their disposal the material, technical, informatic and legal resources needed to fulfill their academic activities.
- 8.4. To freely express their ideas with due respect for third parties. The public manifestation of these ideas shall not be cause for any reprimand or questioning whatsoever, or for judgment before university bodies.
- 8.5. To make use of university facilities and to engage in activities there in accordance with the provisions of ITESO's governing legal structure.
- 8.6. To associate, organize and elect their representatives before university authorities and collegial bodies, pursuant to the norms in effect.
- 8.7. To take an active part and intervene personally in the institutional processes that affect them in accordance with ITESO's governing legal structure.

ARTICLE 9.

The academic personnel's basic obligations are:

- 9.1. Those resulting from the corresponding contractual relationship.
- 9.2. To know, respect and assume the Fundamental Orientations and the Mission, and to comply with the other provisions of ITESO's governing legal structure. Also, to

comply with the institution's policies and work procedures, and with the temporary or permanent assigned duties approved by the authorities.

- 9.3. To form the students, create and expand knowledge, establish ties with social organizations and institutions, intervene socially, communicate their university work and collaborate with academic organization and development, with a high level of academic quality, in the terms set forth in the Fundamental Orientations, the Mission and pursuant to the approved institutional plans and programs.
- 9.4. To respect the rights of third parties, particularly when exercising the freedom to publicly express their ideas.
- 9.5. To ensure independence from external persons and organizations, particularly when exercising their right to association.
- 9.6. To assume the representation of their peers when elected to form part of the institutional collegial bodies.
- 9.7. To make proper and responsible use of any institutional information and documentation that is at their disposal and to which they have access.
- 9.8. To conserve, care for and make proper use of the material, technical and legal assets, resources and elements that the university or the university community has or owns that is at their disposal and to which they have access in order to carry out their functions.

SUPPORT SERVICE PERSONNEL'S BASIC RIGHTS AND OBLIGATIONS

ARTICLE 10.

Support service personnel offer their intellectual or material work for technical assistance, the physical and ecological conservation of the premises, and the functional and operational support of teaching, research, outreach, organization and academic development activities.

Their basic rights are:

- 10.1. Those resulting from the corresponding contractual relationship.
- 10.2. To enjoy appropriate working conditions for carrying out the activities defined in their individual contract and in their assigned duties.
- 10.3. To have at their disposal the material, technical, informatic and legal resources needed to offer their services.
- 10.4. To freely express their ideas with due respect for third parties. The public manifestation of these ideas shall not be cause for any reprimand or questioning whatsoever, or for judgment before university bodies.
- 10.5. To make use of university facilities and to engage in activities there in accordance with the provisions of ITESO's governing legal structure.
- 10.6. To associate, organize and elect their representatives before university authorities and collegial bodies, pursuant to the norms in effect.

10.7. To take an active part and intervene personally in the institutional processes that affect them in accordance with ITESO's governing legal structure.

ARTICLE 11.

The support service personnel's basic obligations are:

- 11.1. Those resulting from the corresponding contractual relationship.
- 11.2. To know, respect and assume the Fundamental Orientations and the Mission, and to comply with the other provisions of ITESO's governing legal structure. Also, to comply with the institution's policies and work procedures, and with the temporary or permanent assigned duties approved by the authorities.
- 11.3. To perform their work under ITESO's exclusive direction through its authorized representatives.
- 11.4. To respect the rights of third parties, particularly when exercising the freedom to publicly express their ideas.
- 11.5. To ensure independence from external persons and organizations, particularly when exercising their right to association.
- 11.6. To assume the representation of their peers when elected to form part of the institutional collegial bodies.
- 11.7. To make proper and responsible use of any institutional information and documentation that is at their disposal and to which they have access.
- 11.8. To conserve, care for and make proper use of the material, technical and legal assets, resources and elements that the university or the university community has or owns that is at their disposal and to which they have access in order to carry out their functions.

RETIREES AND GRADUATES

ARTICLE 12.

ITESO retirees and graduates shall enjoy the services that the university offers in the terms set forth in university regulations.

BOARD OF TRUSTEES

ARTICLE 13.

The Board of Trustees is the highest authority of the Instituto Tecnológico y de Estudios Superiores de Occidente (ITESO) university, with responsibility for its self-regulation and its self-government. It is the official space of communication between ITESO, AC, the Mexican Province of the Society of Jesus, AR, the Jesuit Team and the rest of the university community. The Board of Trustees receives its authority from ITESO, AC and from the Mexican Province of the Society of Jesus, AR, pursuant to clauses four, five and

six of the covenant referred to in article 5.1. of this Statute. The Board of Trustees shall function in accordance with its internal regulations.

ARTICLE 14.

The Board of Trustees is made up of twelve members: nine incumbents and three alternates.

14.1. Three *ex officio* members:

14.1.1. The Rector.

14.1.2. The Chairperson of ITESO, AC.

14.1.3. The General Academic Director.

14.2. Four designated incumbent members:

14.2.1. Two from the Council of Directors of ITESO, AC.

14.2.2. Two from the Jesuit Team.

14.3. Two designated alternate members:

14.3.1. One from the Council of Directors of ITESO, AC.

14.3.1. One from the Jesuit Team.

14.4. Two incumbent and one alternate member, elected by the University Council from among the academic or support service personnel.

ARTICLE 15.

The members of the Board of Trustees shall meet the following requirements:

15.1. To be Mexican citizens by birth or naturalization, or permanent residents pursuant to the country's laws.

15.2. To be at least thirty years old on the day of their designation or election.

15.3. To identify with ITESO's philosophy and values.

15.4. Not to be a member of the University Council, except for the *ex officio* members, or of the University Tribunal, nor to be the University Rights Attorney.

15.5. If they are academic personnel elected by the University Council, they must in addition be full professors with an open-ended contract.

15.6. If they are support service personnel, the following is also required:

- 15.6.1. To have at least six years of service at ITESO, as personnel with an open-ended contract.
- 15.6.2. To have held the position of General Academic Director or to hold or have held the position of director.

ARTICLE 16.

The *ex officio* members shall sit on the Board for as long as they hold their positions. The members representing the religious and civil association shall sit on the Board for as long as the respective association determines. The members elected by the University Council shall sit on the Board for three years and may be re-elected for one more year.

ARTICLE 17.

The agreements of the Board of Trustees shall be passed by a qualified quorum of seven votes. The incumbents and alternates must attend the sessions. The incumbents have the right to participate in the discussion and to vote. The alternates have the right to participate in the discussion.

ARTICLE 18.

The incumbent members are obliged to take a position by emitting their vote on the matters submitted to vote, unless they present an excuse, they are asked to recuse themselves or they allege conscientious objection, at the chairperson's discretion.

When the incumbent accumulates three successive absences or three unjustified abstentions, s/he shall be dismissed and definitively replaced by the corresponding alternate, who in turn shall be replaced by the respective alternate. Should an alternate accumulate three successive unjustified absences, s/he shall be definitively dismissed and replaced.

ARTICLE 19.

The functions and powers of the Board of Trustees are:

- 19.1. To legislate, apply the governing legal structure and resolve controversies, all for the purpose of carrying out ITESO's directives, objectives and aims.
- 19.2. To determine what is necessary and conducive for ensuring that academic and support service personnel have job security and development; income and benefits that allow them to meet their family obligations, material needs and a dignified retirement; and a workplace environment characterized by justice, respect and solidarity that favors responsibility, efficiency and effectiveness.
- 19.3. To modify the Organic Statute or issue a new one in accordance with the procedure set forth in articles 73 and 74 of this Statute.
- 19.4. To name the Rector:

19.4.1. Upon the proposal of the Mexican Province of the Society of Jesus, AR, as expressed by its Provincial.

19.4.2. With the agreement of ITESO, AC, as expressed by its Council of Directors represented by its Chairperson.

19.4.3. After consulting with the University Council and the Jesuit Team.

19.5. To remove the Rector:

19.5.1. Upon the proposal of the Provincial of the Mexican Province of the Society of Jesus, AR, after the necessary inquiries, and also, upon the request of ITESO, AC, explaining the reasons to the Provincial of the Mexican Province of the Society of Jesus, AR, in accordance with the twelfth clause of the covenant referred to in article 5.1 of this Statute.

19.5.2. In both cases, after formal consultation with the University Council, in accordance with the twelfth clause of the covenant, and with the Jesuit Team.

19.6. To grant the Rector leaves of absence, which may be for a single occasion, or intermittent terms. In no case may the accumulated time of the leaves of absence, whether for a single occasion or intermittent terms, exceed one year.

19.6.1. In the case of the Rector's absence for a period of no more than three months, the head of the General Academic Directorate shall take his/her place for such time as the absence lasts.

19.7. To name the Rector under the following conditions:

19.7.1. When the Rector's absence is unforeseen, an interim Rector shall be named for such time as the absence lasts.

19.7.2. When the absence of the incumbent Rector is definitive, a provisional Rector shall be named, who shall serve in the position until the new incumbent takes office.

19.7.3. When the incumbent Rector, on the occasion of a leave of absence granted for a period of three to six months, proposes the appointment of a provisional Rector to cover his/her absence.

19.8. When the incumbent Rector's absence is longer than six months, the Board of Trustees may:

- 19.8.1. Extend the provisional Rector's term until the incumbent resumes his/her functions, provided the provisional Rector's term does not exceed one year, counted from the date on which the incumbent Rector's absence began.
- 19.8.2. Name a substitute Rector to complete the statutory period that corresponded to the incumbent Rector.
- 19.8.3. To name a new incumbent Rector pursuant to the procedure set forth in section 19.4 of this article.

The provisional, interim or substitute Rector may not delegate his/her mandate.

- 19.9. To authorize and follow up on the institutional plans submitted to it by the Rector.
- 19.10. To call a solemn and public session for the presentation of the Rector's annual report and to approve the submitted written report in the following ordinary session.
- 19.11. To rule in the last instance, upon request, when the Rector vetoes an agreement or decision reached by the University Council in full, or by said Council's Academic and Administrative Committees.
- 19.12. To grant, upon the Rector's proposal and in accordance with the rules in effect:
 - 19.12.1. The doctorate *honoris causa* and the distinction of professor emeritus.
 - 19.12.2. The dedications of buildings and facilities.
- 19.13. To name, upon the Rector's proposal and in accordance with the respective regulations:
 - 19.13.1. The members of the University Tribunal.
 - 19.13.2. The University Rights Attorney.
- 19.14. To promote, establish and guarantee the conditions necessary for sustaining the institution's economic viability.
- 19.15. To approve and follow up on:
 - 19.15.1. The annual budget and its modifications, proposed by the Rector.
 - 19.15.2. The plans of the campaigns undertaken at the initiative of ITESO, AC.
 - 19.15.3. The rules for borrowing, recognizing debts and having them paid.
 - 19.15.4. The correlation between the expenditures made and the results obtained by the university units with respect to the plans, budgets, campaigns, projects and programs.

- 19.16. To create and eliminate educational programs upon the proposal of the University Council.
- 19.17. To agree upon and evaluate the assigned duties of the Rector and the University Rights Attorney.
- 19.18. To receive the University Tribunal's annual report.
- 19.19. To take a stance on local, national and international events and issues, and to state it publicly. When the statement is urgent due to the emergency and the severity of the events and the Board of Trustees cannot meet, the Rector and the Chairperson of ITESO, AC, jointly, may make said statement. In this case, they shall inform the members of the Board of Trustees via appropriate media of the exercise of this power, which they shall justify at the following meeting of the Board of Trustees.
- 19.20. To promote the development and regulate the use of any industrial property rights and copyright that correspond to ITESO.
- 19.21. To regulate, decide or judge what is necessary and conducive for dealing with urgent situations that put the university community or the institution at grave risk and to resolve matters that are not foreseen in this ordinance.
- 19.22. To create, upon the Rector's proposal, permanent or temporary entities whose main function is social intervention or outreach, provided they adhere to ITESO's governing legal structure.
- 19.23. To create commissions for providing the Board of Trustees with technical advice and supports. The permanent commissions shall be constituted and formed and their functioning shall be determined by way of their regulation in the internal regulations of the Board of Trustees, and for the transitory articles it shall be sufficient to publish the respective agreement.
 - 19.23.1. The Board of Trustees shall avail itself of two permanent commissions that will provide technical advice and support related to ITESO's finances and constructions. Their constitution, formation and functioning shall also be regulated by the internal regulations of the Board of Trustees.
- 19.24. To approve and promulgate the internal regulations of the Board of Trustees.
- 19.25. To resolve and decide any situation not foreseen in this Organic Statute and in the covenant between ITESO, AC, and the Mexican Province of the Society of Jesus, AR.

THE UNIVERSITY COUNCIL

ARTICLE 20.

ITESO's self-regulation function and powers are entrusted to the University Council, which shall exercise them through the Council in full or the Academic and Administrative Committees.

ARTICLE 21.

The University Council in full shall consist of eighteen *ex officio* and elected members.

21.1. The following shall be *ex officio* members:

21.1.1. The Rector, who shall chair it.

21.1.2. The Chairperson of ITESO, AC, or his/her permanent representative.

21.1.3. The General Academic Director.

21.1.4. The directors of Administration and Finance, of Community Integration, and of External Relations.

21.2. The following shall be elected members from the General Academic Directorate:

21.2.1. One representative of the directors of the units of the General Academic Directorate.

21.2.2. One representative of the educational program coordinators of the General Academic Directorate.

21.2.3. One representative of the personnel affiliated with the General Academic Directorate, who shall be an academic.

21.3. The following shall be elected members from the Directorate of Community Integration.

21.3.1. A representative of the directors of the units of the Directorate of Community Integration.

21.3.2. A representative of the personnel affiliated with the Directorate of Community Integration.

21.4. The following shall be elected members from the Directorate of Administration and Finance:

21.4.1. A representative of the directors of the units of the Directorate of Administration and Finance.

21.4.2. A representative of the personnel affiliated with the Directorate of Administration and Finance.

21.5. The following shall be elected members from the Directorate of External Relations:

21.5.1. A representative of the directors of the units of the Directorate of External Relations and of the Rector's Office.

21.5.2. A representative of the personnel affiliated with the Directorate of External Relations and with the Rector's Office.

21.6. A representative of the Jesuit Team.

21.7. Two student representatives shall be elected members. One from the undergraduate programs and one from the graduate programs.

ARTICLE 22.

The Academic Committee shall consist of nine members:

22.1. The General Academic Director, who shall chair it.

22.2. The representative of the Jesuit Team.

22.3. A representative of ITESO, AC.

22.4. The Director of Community Integration.

22.5. The Director of External Relations.

22.6. The representative of the directors of departments and centers of the General Academic Directorate.

22.7. The representative of the educational program coordinators of the General Academic Directorate.

22.8. The representative of the academic personnel of the General Academic Directorate.

22.9. One of the student representatives, elected by the Council in full.

ARTICLE 23.

The Administrative Committee shall consist of eight members:

23.1. The Director of Administration and Finance, who shall chair it.

23.2. A representative of the Jesuit Team.

23.3. A representative of ITESO, AC.

23.4. The representative of the directors of the departments and centers of the General Academic Directorate.

23.5. The representative of the office directors of the Directorate of Administration and Finance.

23.6. The representative of the office directors of the Directorate of External Relations.

23.7. The representatives of the support service personnel of the directorates of Administration and Finance and of External Relations.

ARTICLE 24.

The members of the University Council represent the university community as a whole. They shall hold their position as representatives for a period of two years, with the exception of the students, who shall hold it for one year. The members may be re-elected only once for another immediate period. The election of the members of the University Council shall be effected in accordance with its internal regulations. The *ex officio* members may not be represented by delegates, substitutes or personal representatives, either in the Council in full or in the Academic and Administrative Committees. ITESO, AC, shall name a representative for each of these committees, who shall not be members of the Council in full.

ARTICLE 25.

The following shall be requirements to be an elected member of the University Council:

25.1. To be at ITESO performing academic or support service functions, as personnel with an open-ended contract with contractual relations currently in effect, in the terms set forth in articles 8 and 10 of this Statute.

25.2. Not to be a member of the Board of Trustees, except for the *ex officio* members, and furthermore:

25.2.1. The representatives of the directors of departments, centers and offices shall have four or more years of service as personnel with an open-ended contract.

25.2.2. The representatives of the academic personnel shall be full professors and have four or more years as personnel with an open-ended contract.

25.2.3. The representatives of the support service personnel shall have four or more years as personnel with an open-ended contract.

25.2.4. The student representatives:

25.2.4.1. The undergraduate shall be taking, at the moment of being elected and during his/her period of representation, at least three courses and have completed at least twenty percent and no more than sixty-seven percent of the credits of the corresponding study plan.

25.2.4.2. The graduate student shall be taking at least two courses and have completed at least twenty percent of the credits.

ARTICLE 26.

The procedures for the formation of the Council and its commissions as well as for its functioning shall be established in the respective internal regulations. The Rector shall designate the coordinator of the Council in full and the secretary of the Council in full. Those of the committees shall be named by their chairpersons. The coordinators and secretaries may not be members of the Council or of the committees.

ARTICLE 27.

The attendance quorum of the University Council in full shall consist of the absolute majority of its members. For this majority to be valid, the Rector or the General Academic Director must be present.

The voting quorum of the Council in full shall be valid with the relative majority of the members present. For specific matters that are so determined, a qualified voting quorum of two thirds of the votes of the members present shall be required. For the determination of qualified voting for specific matters, the same qualified voting shall be required.

ARTICLE 28.

The attendance and voting quorums of the Academic and Administrative committees shall be governed as follows:

28.1 The attendance quorum for the Academic Committee shall be valid with the absolute majority of its members, made up at least of the General Academic Director. For the Administrative Committee, it shall be valid with the absolute majority of its members, made up at least of the Director of Administration and Finance.

28.1 The voting quorum shall be valid in both committees in exactly the same way as in the Council in full.

ARTICLE 29.

The members of the University Council and of the council's committees are obliged to take a position by emitting their vote on the matters submitted to vote, unless they present an excuse, they are asked to recuse themselves or they allege conscientious objection, at the chairperson's discretion. Should a member of the Council or of the committees accumulate three successive absences or three unjustified abstentions, s/he shall be dismissed and replaced in accordance to the Council's internal regulations.

THE UNIVERSITY COUNCIL IN FULL**ARTICLE 30.**

The powers of the University Council in full are the following:

30.1. To issue:

30.1.1. The regulations for regulating the university's activities and establishing the infractions to ITESO's governing legal structure as well as the corresponding penalties.

30.1.2. The norms, bases and procedures for granting the academic categories of full and distinguished professor and professor emeritus.

30.2. To supervise the consistency with ITESO's governing legal structure of the norms issued by the Council in full and by the Academic and Administrative committees, as well as the coordination that should exist between the latter two.

30.3. To consider and resolve the consultations:

30.3.1. From the Board of Trustees, for the appointment, resignation or removal of the Rector.

30.3.2. From the Rector, for the designation of the University Rights Attorney and of the members of the University Tribunal.

30.4. To confer the academic category of distinguished professor in accordance with the norms, bases and procedures in effect.

30.5. To propose to the Board of Trustees:

30.5.1. Modifications to the Organic Statute.

30.5.2. The candidacies for the distinction of professor emeritus in accordance with the norms, bases and procedures in effect.

30.6. To consider and approve:

30.6.1. The annual report of the evaluation by the Academic Committee of the sufficiency and relevance of the physical plant, equipment and resources for teaching, research and outreach, as they relate to the objectives of the academic programs and ITESO's academic development plan.

30.6.2. The initiatives for university regulation or modifications to the regulations currently in effect that fall under its purview, submitted by the Rector, the General Academic Director or by the directors of Administration and Finance, of Community Integration, and of External Relations.

30.7. To evaluate and approve the reports on the work plans of the General Academic Directorate and of the directorates of Administration and Finance, of Community Integration, and of External Relations.

30.8. To submit in writing to the Board of Trustees and to the university community, through the Rector, the annual report of its activities.

30.9. To represent the university community before the Board of Trustees.

30.10. To issue its own internal regulations and approve the modifications thereto.

30.11 To create and eliminate temporary or permanent commissions or work groups whose function is to assist the Council in resolving specific matters or following up on them and carrying out other particular tasks.

- 30.12. To propose to the Board of Trustees the creation or elimination of educational programs, upon the Academic Committee's proposal.
- 30.13. To modify educational programs upon the Academic Committee's proposal.
- 30.14. To approve upon the Academic Committee's proposal:
 - 30.14.1. Projects for the acquisition and installation of new information systems.
 - 30.14.2. The general bases for the design, financing, running, development and evaluation of administrative or financial programs and of information systems.

THE UNIVERSITY COUNCIL'S ACADEMIC COMMITTEE

ARTICLE 31.

The powers of the University Council's Academic Committee are:

- 31.1. To issue the norms for regulating:
 - 31.1.1. ITESO's academic activities.
 - 31.1.2. The design, implementation and evaluation of the academic programs.
 - 31.1.3. The revisions, updating and modifications to the curricula.
 - 31.1.4. The internal procedures and requirements for earning the titles, university degrees and recognitions of studies, in adherence to the legislation in effect.
 - 31.1.5. The assigned duties and evaluation of the academic personnel's performance.
 - 31.1.6. The conditions for ensuring that the academic personnel increase and deepen their knowledge, perfect their teaching skills and carry out the directives, objectives and aims stated in the Fundamental Orientations and the Mission.
 - 31.1.7. The planning, management, monitoring and evaluation of course registration and scheduling, grade registration, and the provision of registrar services.
- 31.2. To authorize, upon the General Academic Director's proposal:
 - 31.2.1. The academic planning and the management and evaluation indicators of the plans and programs for teaching, research and outreach.
 - 31.2.2. The requirements for the selection and hiring of academic personnel and the makeup of the academic faculty.
 - 31.2.3. The educational program curricula and their modifications.
 - 31.2.4. The criteria for structuring the pay scale for the academic personnel.
 - 31.2.5. The overall objectives of research.
 - 31.2.6. The formal research programs in accordance with the norms in effect and with accredited feasibility.
 - 31.2.7. The overall outreach objectives.

- 31.3. To propose to the Rector the academic criteria for defining the academic personnel's position on the pay scale.
- 31.4. To confer the category of full professor on the members of the academic personnel who fulfill the norms in effect.
- 31.5. The determination of the bases for the design, financing, running, development and evaluation of projects that call for various university units to collaborate.
- 31.6. To issue the norms for:
 - 31.6.1. Ensuring that each one of the academic projects follows the directives, objectives and aims stated in ITESO's governing legal structure.
 - 31.6.2. The institutional publication of academic production; journals; proceedings; annals; books; and cultural, scientific and technological works.
 - 31.6.3. The safeguarding of the institution's and, as the case may be, the personnel's industrial property rights and copyrights.
- 31.7. To propose to the University Council in full the creation, modification or elimination of educational programs.
- 31.8. To propose to the Board of Trustees the development and use of the institution's industrial property rights and copyrights.

THE UNIVERSITY COUNCIL'S ADMINISTRATIVE COUNCIL

ARTICLE 32

The powers of the University Council's Administrative Council are:

- 32.1. To issue the norms for:
 - 32.1.1. Ensuring that the directives, objectives and aims set forth in ITESO's governing legal structure are updated in the administrative and financial activities.
 - 32.1.2. Consolidating the conditions of institutional economic viability.
 - 32.1.3. Administrative and financial activities, and information systems.
 - 32.1.4. The use of:
 - 32.1.4.1. ITESO's properties and spaces.
 - 32.1.4.2. ITESO's movable assets.
 - 32.1.5. The concessions and authorizations of the services provided to the university community by third parties.
 - 32.1.6. The acquisitions, leases, releases and alienations of movable assets and services, the leasing of properties, as well as the financing and verification of institutional travel expenses.

- 32.1.7. The management of civil protection; the preservation of ecological balance and the protection of the university campus environment.
 - 32.1.8. The management of the salary systems, benefits, pension plans, social security and provision, workplace security and safety, loans to workers, savings and loan fund, life and medical insurance, personnel files and other workplace matters, as well as the requirements for the selection and hiring of service support personnel.
 - 32.1.9. The assigned duties and performance evaluation of support service personnel.
 - 32.1.10. The conditions that afford support service personnel the development of the knowledge and skills they need for their job and the fulfillment of the directives, objectives and aims set forth in the Fundamental Orientations and the Mission.
- 32.2. To approve, upon proposal by the Director of Administration and Finance:
- 32.2.1. The administrative, financial and information system planning, as well as the management indicators and evaluation of the administrative, financial and information system plans and programs.
 - 32.2.2. The general bases for managing the security and protection of people and their assets; the risk management, security and protection of the facilities and equipment on campus; and the management of activities for the storage, safekeeping, use, conservation and maintenance of tangible and intangible assets.
 - 32.2.3. The general bases for establishing and operating the procedures for accounting and taxes, student loans and collection.
- 32.3. To approve the operating budget with the concurrence of the General Academic Director and of the directors of Community Integration and of External Relations.
- 32.4. To submit to the University Council in full for consideration:
- 32.4.1. The projects for the acquisition and installation of new information systems.
 - 32.4.2. The general bases for the design, financing, running, development and evaluation of administrative, financial and information system programs.

THE UNIVERSITY COUNCIL'S LEGISLATIVE COMMISSION

ARTICLE 33.

The University Council shall have a Legislative Commission, made up of three members of the university community.

The members of the commission shall be appointed by the Rector after consultation with the University Council in full. They shall hold their position for four years, which may be extended for up to two consecutive periods. The Rector may revoke the appointments

after consulting as mentioned above. The substitution of a missing member, for any cause, shall also be up to the Rector, after consultation. The appointments or subsequent extensions of the members of the commission shall be staggered so that at least one member of the previous commission remains.

ARTICLE 34.

For the Rector to promulgate any university regulation, except that created by the Board of Trustees, s/he must have positive rulings on the consistency and technical aspects from the Legislative Commission. Should the Council in full or the committees disagree with the commission's rulings, the Rector shall resolve what is to be done.

ARTICLE 35.

The Legislative Commission shall have the following powers:

- 35.1. To rule on the regulations approved by the Council in full or the committees, with respect to their consistency with ITESO's governing legal structure referred to in this Organic Statute.
- 35.2. To advise and rule on the technical aspects of the structure, articulation, wording and style of the precepts of the regulations approved by the University Council in full and its committees.

THE RECTOR**ARTICLE 36.**

The Rector is ITESO's highest executive authority; s/he represents and directs the university as a whole; s/he maintains the unity of action over the diversity of the university units and tasks, and serves as the institutional reference.

ARTICLE 37.

In order to be the Rector, the following is required:

- 37.1. To be Mexican by birth or naturalization.
- 37.2. To be at least thirty-five and less than seventy years old on the day s/he assumes office.
- 37.3. To have a university bachelor's degree.
- 37.4. To have academic and administrative experience in educational activities.
- 37.5. To embody and promote the directives and objectives grounded in ITESO's Fundamental Orientations and Mission.

ARTICLE 38.

The ITESO Rector's term of office shall last four years, with the possibility of being extended for two more years, upon the agreement of the Board of Trustees and the Rector him/herself. The interim, provisional and substitute Rector, as the case may be, shall hold the position for the time set forth in article 19, sections 19.6 and 19.7, of this Statute.

ARTICLE 39.

The Rector's powers are:

- 39.1. To make provisions for what is necessary in the academic and administrative areas for the exact fulfillment of ITESO's governing legal structure; to promulgate and publish the regulations, and to execute or supervise the execution of the resolutions of the Board of Trustees.
- 39.2. To appoint, remove or accept the resignation of the General Academic Director and of the directors of Administration and Finance, of Community Integration and of External Relations, after consulting with the Board of Trustees.
- 39.3. To appoint, remove or accept the resignation of the directors, and well as to appoint interim directors for no more than one year, after consulting with the General Academic Director or with the directors of Administration and Finance, of Community Integration and of External Relations.
- 39.4. To propose to the Board of Trustees:
 - 39.4.1. The annual budget and its modifications.
 - 39.4.2. The creation of permanent or temporary entities whose main function shall be social intervention or outreach, provided they adhere to ITESO's governing legal structure.
 - 39.4.3. Candidates to sit on the University Tribunal, after consulting with the University Council in full.
 - 39.4.4. Candidates for the University Rights Attorney, after consulting with the University Council in full.
 - 39.4.5. Candidates for professors emeriti proposed by the University Council's Academic Committee.
 - 39.4.6. The candidate for provisional Rector when s/he must take an authorized leave of absence for a period of between three and six months.
- 39.5. To delegate upon the General Academic Director and the directors of Administration and Finance, of Community Integration and of External Relations such powers as s/he deems conducive to the best functioning of the university's activities.
- 39.6. To direct ITESO's institutional planning processes and submit the respective proposals to the Board of Trustees.

- 39.7. To represent ITESO. S/he may delegate this representation, for specific cases, upon the person and in the way s/he deems fitting.
- 39.8. To attend, and to chair when s/he deems it fitting, the university's collegial bodies in which his/her organic participation is not foreseen.
- 39.9. To make observations to or veto the resolutions adopted by the University Council in full or its Academic or Administrative committees. In both cases, an extraordinary session of the Council in full or of the committees shall be held, at which the Rector shall explain the justifications and reasons for his/her observations or veto and listen to the viewpoints of the members of these bodies. After the session, the Rector shall make known his/her resolution, which shall be definitive, unless the University Council in full appeals to the Board of Trustees within thirty calendar days of the date on which the Rector issues said resolution.
- 39.10. To intervene, in the event of urgent and grave need, in any university unit with the powers that are necessary to deal with the situation. The Rector shall justify the exercise of these powers in the first Board of Trustees meeting held after the emergency.
- 39.11. To create, eliminate, restructure, modify or relocate directorates, departments, centers and offices, except for units instituted in this Statute. S/he shall exercise these powers after consulting with the University Council in full and with the Board of Trustees when the action affects directorates; s/he shall exercise them after consulting with the General Academic Director or with the directors of Administration and Finance, of Community Integration or of External Relations, as the case may be, when the action affects departments, centers and offices.
- 39.12. The creation of transitory academic or administrative units to run experimental projects not to exceed two years, after consulting with the Board of Trustees.
- 39.13. To enter into and sign contracts and covenants with institutions and organizations of the public, social and private sectors, both domestic and foreign.
- 39.14. To condone debts in the terms set forth in the secondary legislation, and to inform the Board of Trustees.
- 39.15. To propose to the Board of Trustees candidates to receive the doctorate *honoris causa* and other recognitions, and to assign dedications of university facilities.
- 39.16. To sign the titles that ITESO grants to accredit the studies with official validity completed at the university.
- 39.17. To sign the institutional recognitions of academic distinctions and other university merits which by their nature call for said signature.
- 39.18. To authorize the termination of the individual labor contracts entered into with members of the university community.
- 39.19. To gather information about the budget expenditures of each of the units that make up the university when s/he deems it expedient.
- 39.20. To submit a report of his/her activities to the Board of Trustees and to the university community in the terms set forth in article 19, section 19.10, of this Statute.

- 39.21. To approve the assigned duties and to evaluate, at such time as s/he deems expedient, the performance of the General Academic Director and the directors of Administration and Finance, of Community Integration and of External Relations.
- 39.22. To chair and coordinate the Board of Trustees in accordance with the provisions set forth in said body's internal regulations.
- 39.23. To chair the University Council in full.
- 39.24. To grant the personnel with open-ended contracts the leaves of absence proposed by the General Academic Director and the directors of Administration and Finance, of Community Integration and of External Relations in accordance with the applicable norms.
- 39.25. To authorize sabbaticals to the academic personnel proposed by the General Academic Director and the director of Community Integration in accordance with the applicable provisions.
- 39.26. To render ineffective or overrule ITESO's recognition of organizations made up of members of the university community and to authorize their activity within the university.
- 39.27. To handle the requests for mediation and resolve the problems involving members of the university community that, after the ordinary procedures and the demands of the norms that apply to the matter at hand have run their course, have not been properly resolved in a timely manner by the competent university units.
- 39.28. To give timely notice to the Board of Trustees of his/her absences and the periods of time that they will involve, for the effects considered in this Statute.
- 39.29. To convoke advisors, consultants and to create such commissions as s/he deems necessary to better carry out his/her powers and functions.
- 39.30. The Rector shall have at his/her disposal a permanent consultation team for the purpose of discussing and accompanying the Rector's responsibilities. It shall be made up of the heads of the General Academic Directorate and of the directorates of Administration and Finance, of Community Integration and of External Relations and such persons as the Rector deems expedient, depending on the specific matters about which s/he wishes to consult.

THE GENERAL ACADEMIC DIRECTORATE AND THE DIRECTORATES OF ADMINISTRATION AND FINANCE, COMMUNITY INTEGRATION AND EXTERNAL RELATIONS

ARTICLE 40.

The General Academic Directorate and the directorates of Administration and Finance, of Community Integration and of External Relations shall discharge their functions in accordance with the directives, objectives and aims of ITESO's governing legal structure, in support of the university's activities and the Rector.

ARTICLE 41.

The General Academic Directorate shall provide what is necessary for:

- 41.1. Comprehensively carrying out the substantive academic activities of teaching, research and outreach, in accordance with ITESO's governing legal structure.
- 41.2. Fostering, strengthening and maintaining the institution's academic quality and the improvement of the human and moral quality of the students and academic personnel.
- 41.3. Promoting academic responses to the needs of society and those of the state of science, technology and culture.

ARTICLE 42.

The Directorate of Administration and Finance shall discharge the following functions:

- 42.1. Providing what is necessary for promoting and supporting the administrative and financial activities that will reinforce the university's sustainability.
- 42.2. Ensuring the rational and efficient management, the proper use, and the conservation of the institution's economic, material and financial resources.
- 42.3. Supervising the management for the proper fulfillment of the institutional pecuniary obligations and those of the municipal, state and federal public administration.

ARTICLE 43.

The Directorate of Community Integration shall provide what is necessary for:

- 43.1. Contributing to social intervention and outreach work with social organizations and institutions.
- 43.2. Promoting and providing the relevant services to the university community.
- 43.3. Contributing to the comprehensive formation of the university community.

ARTICLE 44.

The Directorate of External Relations shall provide what is necessary for:

- 44.1. Intervening, promoting, strengthening and conducting relations with the surrounding society.
- 44.2. Operating the agreements with other organizations and institutions in which the university takes part.
- 44.3. Strengthening the dissemination of the knowledge generated by the university.

ARTICLE 45.

Aside from the specific functions indicated in the previous articles, the General Academic Directorate and the directorates of Administration and Finance, of Community Integration and of External Relations shall discharge the following functions:

- 45.1. Applying ITESO's governing legal structure, and making sure it is applied, in the area of their competency.
- 45.2. Issuing policies that develop and facilitate the application and fulfillment of the regulations addressed to their personnel for this same purpose.
- 45.3. Providing what is necessary to operate a permanent system for evaluating and improving their activities.
- 45.4. Proposing to the Rector the appointment of the directors and, as the case may be, naming the coordinators, after consulting with the respective directors.
- 45.5. Verifying that the physical infrastructure and equipment are adequate for the discharge of their functions and, if necessary, proposing to the Rector the acquisition of needed physical infrastructure and equipment.
- 45.6. Receiving, making use of, keeping, conserving the quality of, updating and backing up on appropriate technical supports, and providing to those indicated by the applicable norms, such documents, data and institutional information as said directorates may obtain on account and in the exercise of their functions, through their own efforts or those of others.
- 45.7. Proposing to the Rector the creation, elimination, restructuring, modification or relocation of directorates, departments, centers and offices.
- 45.8. Proposing to the Rector the promotion, change of affiliation or removal of their academic and support service personnel.
- 45.9. Approving and evaluating the assigned duties of the personnel affiliated with the unit under their charge. Also, approving and evaluating the temporary assigned duties of their personnel in another ITESO unit, upon agreement with the head of the unit hosting said personnel, without said personnel losing their original affiliation. In both cases, following up on them.

ARTICLE 46.

The head of the General Academic Directorate shall meet the following requirements:

- 46.1. To be older than thirty years and younger than seventy upon taking office.
- 46.2. To have a master's or doctoral degree.
- 46.3. To have recognized academic and administrative experience at the university level.
- 46.4. To have distinguished him/herself in teaching, research or outreach work.
- 46.5. To be a full professor at ITESO.

ARTICLE 47.

The heads of the directorates of Administration and Finance, of Community Integration and of External Relations shall meet the following requirements:

- 47.1. To be at least thirty and less than seventy years old upon taking office.

47.2. To have a bachelor's degree.

47.3. To assume and promote the directives, objectives and aims of ITESO's governing legal structure.

**THE UNITS OF THE GENERAL ACADEMIC DIRECTORATE AND
OF THE DIRECTORATES OF ADMINISTRATION AND FINANCE,
OF COMMUNITY INTEGRATION AND OF EXTERNAL RELATIONS**

ARTICLE 48.

The General Academic Directorate and the directorates of Administration and Finance, of Community Integration and of External Relations shall be made up of directorates, departments, centers and offices, whose powers, organization and functioning shall be set forth in the secondary legislation, in accordance with the bases established in this Organic Statute.

ARTICLE 49.

The function of the departments, made up of Basic Academic Units, is academic production in a field of knowledge, in the form of teaching, research and outreach, in the terms set forth in articles 1 and 2 of this Organic Statute.

ARTICLE 50.

The departments shall depend exclusively on the General Academic Directorate and shall support its head in the exercise of his/her powers and the discharge of his/her functions.

ARTICLE 51.

The centers, which may also be made up of Basic Academic Units, shall be in charge of one or more of the following functions:

51.1. Outreach.

51.2. Social intervention.

51.3. Teaching

51.4. Contribution to students' comprehensive formation.

51.5. Applied research.

51.6. The provision of different services to the university community.

51.7. The provision of productive services.

They shall discharge said functions in the terms set forth in articles 1 and 2 of this Organic Statute.

ARTICLE 52.

The centers shall depend exclusively on the General Academic Directorate and the Directorate of Community Integration and they shall support the heads of these directorates in the exercise of their powers and the discharge of their functions.

ARTICLE 53.

The councils of the departments and centers shall be coordinated by the director of the unit and be made up of four full professors with open-ended contracts and at least six years of service at ITESO. The organization, makeup and powers of the council shall be set forth in the secondary legislation.

ARTICLE 54.

The directorates and offices, made up of communities of academic and support service personnel, shall be in charge of accompanying and collaborating with the heads of the General Academic Directorate and the directorates of Administration and Finance, of Community Integration and of External Relations in the exercise of their powers and the functioning of their dependent units in accordance with ITESO's governing legal structure and the indications of the heads of directorate.

ARTICLE 55.

The makeup, functions, powers and location of the directorates, departments, centers and offices not specified in this Organic Statutes shall be established in the secondary legislation or in the official communications in which they are created.

ARTICLE 56.

In order to be a director, the following shall be required:

56.1. To be at least thirty and less than seventy years old upon taking office.

56.2. In the case of the directorates that come under the General Academic Directorate, the Directorate of Community Integration or the Rector's Office, and in the case of the departments and centers, to have at least a master's degree; in the case of the directorates that come under the directorates of Administration and Finance and of External Relations, and in the case of the centers, to have at least a bachelor's degree.

56.3. To have academic or administrative experience at the university level.

56.4. To have experience in human resource management.

56.5. To assume and promote the directives, objectives and aims of ITESO's governing legal structure.

They shall hold their position for four years. This term may be extended for periods of two years should the Rector deem it necessary, after consulting with the General Academic Director

or the directors of Administration and Finance, of Community Integration and of External Relations, as the case may be.

ARTICLE 57.

The directors, in the fulfillment of their functions, shall exercise the following basic powers:

- 57.1. To apply ITESO's governing legal structure, and make sure it is applied, in the area of their competency.
- 57.2. To plan, organize, execute, coordinate and evaluate the activities that fall under their purview and to encourage the academic and support service personnel affiliated with their unit to take part in them.
- 57.3. To draw up and present to the competent university body their own unit's annual operating budget, to supervise the exercise of the authorized budget and to make the necessary provisions for the administration of the material, technical, financial and human resources assigned to their planned activities.
- 57.4. To determine the affiliation and approve the assigned duties of the academic and support service personnel affiliated with their university unit, to follow up on them, to evaluate them and to procure the promotion of the personnel in accordance with the indications that have been published.
- 57.5. To propose to whom it may concern the recruitment of necessary personnel. Once they are hired, to organize and coordinate their work, and to determine development, training, improvement and updating activities.
- 57.6. To direct collegial life, to take part in the corresponding collegial bodies, and to resolve any conflicts that arise in the area under their purview.

These basic power shall be regulated in the secondary legislation.

ARTICLE 58.

The General Academic Director shall appoint the coordinators of the departments' educational programs, after consulting with the respective director. The department directors shall delegate the academic and disciplinary running of the program upon the educational program coordinators. The department director shall select and designate the professors with open-ended contracts or the course instructors corresponding to each department in dialogue with the educational program coordinators and in adherence to the regulations in effect. The powers of the educational program coordinators shall be regulated by the secondary legislation.

THE UNIVERSITY RIGHTS ATTORNEY**ARTICLE 59.**

The University Rights Attorney shall discharge the following functions:

- 59.1. To safeguard the university rights of the members of the university community.
- 59.2. To receive reports, grievances and complaints from the members of the university community regarding violations of university rights; to investigate and gather information, and formulate recommendations for the heads of the university units involved.
- 59.3. To provide technical advice and assistance for the members of the university community and the heads of university unit heads in procuring the interpretation and exact application of ITESO's governing legal structure.
- 59.4. To carry out the activities and promote the initiatives needed to ensure the appropriation and development of university rights culture among the members of the university community.
- 59.5. To receive, make use of, keep, conserve the quality of, update and back up on appropriate technical supports, and to provide to those indicated by the applicable norms, such documents, data and institutional information as s/he may obtain on account and in the exercise of his/her functions through his/her own efforts or those of others.

The powers to discharge these functions shall be provided for in the secondary legislation.

ARTICLE 60.

The University Rights Attorney shall meet the following requirements:

- 60.1. To have recognized prestige among the university community in the judgment of the Board of Trustees.
- 60.2. To know and assume ITESO's governing legal structure.
- 60.3. To have been personnel with an open-ended contract for at least ten years at ITESO.

ARTICLE 61.

The Attorney shall remain in the exercise of his/her functions for three years. The Board of Trustees may extend his/her mandate for another period of the same length, only once.

THE UNIVERSITY TRIBUNAL

ARTICLE 62.

The University Tribunal discharges the higher jurisdictional function. The corresponding regulations shall set down the bases so that the jurisprudence established by the Tribunal is binding.

- 62.1. The Tribunal shall be competent to resolve, as the final instance and without further appeal:

- 62.1.1. Controversies between members of the university community, processed in lower instances, that have exhausted the ordinary mechanisms set forth in the rules that apply to the matter in question.
- 62.1.2. The challenges raised by any member of the university community with respect to the consistency of the regulations and guidelines in effect, with ITESO's governing legal structure.
- 62.2. *Ex officio* or at the Rector's well-grounded request, it may at any time assert its jurisdictional authority over matters being adjudicated by any other university body that carries out a jurisdictional function when said matters merit the Tribunal's attention given their importance and transcendence.
- 62.3. In all other cases it shall act at a party's request.
- 62.4. Labor matters that will be handled in accordance with the Internal Labor Regulations and applicable local labor legislation are excluded from the Tribunal's purview, except in cases in which the Rector requests otherwise and the affected member of the academic or support service personnel joins said request, which shall not imply any waiver of labor rights on the part of the member of the personnel.
- 62.5. It shall adjudicate appeals involving disciplinary offenses.
- 62.6. It shall adjudicate matters involving persons who belonged to the university community as students and are no longer students, who feel that as students their university rights were affected. The Tribunal, at the request of the Rector and the Attorney, shall admit the case if it considers that there is evidence to investigate and, as the case may be, to rule on the affirmation or restitution of university rights. The maximum period of time for resorting to this possibility shall be within three years of the student's separation from the university.

ARTICLE 63.

The University Tribunal shall be collegial. It shall be made up of five members, of which four shall be regular and permanent and one shall be special and variable. The former shall act in all matters that the Tribunal adjudicates. The latter shall only adjudicate those matters that correspond to the segment of the university community for which they were designated, although they neither represent nor defend the respective matters. During their jurisdictional intervention the five members shall have the exact same powers. There shall be four segments that the special and variable members shall cover, and these members shall join the Tribunal as the case requires: undergraduate students, graduate students, academic personal and support service personnel.

- 63.1. The members of the Tribunal shall be appointed by the Board of Trustees upon the Rector's proposal. The following may not be members of the Tribunal: the Rector, the members of the Board of Trustees, the University Rights Attorney, the acting General Academic

Director and the acting directors of Administration and Finance, of Community Integration and of External Relations.

63.2. The four regular members shall be academic personnel or support service personnel.

63.3. The four special and variable members may be, respectively: an undergraduate student, a graduate student, a member of the academic personnel and another of the support service personnel.

ARTICLE 64.

The appointment of the members of the Tribunal by the Board of Trustees shall come with a precise specification of each one's segment and the term of service. The Tribunal's makeup shall be such that there is never a total turnover of its members but rather that there remains on the Tribunal one of the regular and permanent members with at least two years of experience on the Tribunal.

ARTICLE 65.

The members of the tribunal shall discharge their duties in an honorary capacity and for a period of three years, with the exception of the students, who shall serve for one year. The Board of Trustees may extend the term of service for one more successive three-year term, only once. The member with the longest service at ITESO shall chair and, in the case of equal service, the one determined by the Rector. The chairperson of the Tribunal shall designate a secretary for study and provision who shall be an expert in law and be familiar with ITESO's governing legal structure, who shall not sit on the Tribunal and shall act in accordance with the powers that the respective regulations confer on him/her.

ARTICLE 66.

The following shall be requirements to be a member of the University Tribunal:

66.1. In the case of the personnel:

66.1.1. To have five years or more of service at ITESO as personnel with an open-ended contract, either academic or support service.

66.1.2. To have been an incumbent or alternate member of one of the following collegial bodies, with the exceptions set forth in article 63, section 63.1: University Council or councils of departments, centers and educational programs. Or else, to have been a member of the erstwhile Council of the Rector's Office, Academic Council and the councils of the directorates.

66.2. In the case of students:

66.2.1. Undergraduates, to have accredited fifty percent of the credits of the corresponding study plan.

66.2.2. Graduate students, to have accredited twenty percent of the credits of the corresponding study plan.

66.3. All members, to assume, embody and promote the directives, aims and objectives of ITESO's governing legal structure.

ARTICLE 67.

The University Tribunal shall submit an annual report to the Board of Trustees.

ARTICLE 68.

The procedures for conducting the matters, convoking the members and handing down the rulings shall be set forth in the University Tribunal's regulations. The jurisdictional function, the competences and the procedures of the lower instances shall be regulated in the respective regulations.

ASSIGNED DUTIES, EVALUATIONS AND REPORTS

ARTICLE 69.

The heads of ITESO's academic and administrative units shall approve the assigned duties of their personnel and apply the performance evaluations of same, at least every year. The heads shall also submit periodic reports of the unit's situation, in accordance with the corresponding plans and policies, and shall render accounts of the correlation between the expenditures made and the results. These activities shall be regulated in the secondary legislation.

PUBLICATION OF REGULATIONS

ARTICLE 70.

For regulations to be valid and mandatory, they shall be promulgated and published by the Rector on the institutional communication platform and contain the respective endorsement of the secretaries of the University Council in full or of its Academic or Administrative Council. The guidelines and policies that are issued to facilitate the application of the regulations in the academic and administrative areas shall be published by the heads of the competent university units on the aforementioned platform.

ARTICLE 71.

The following shall be published on ITESO's institutional communication platform: the Organic Statute, the regulations, the guidelines, the policies, the processes and their modifications, issued by the academic and administrative authorities, as well as the

agreements, institutional appointments and other notices and communications that the Rector considers should be published.

THE INTERPRETATION OF THE ORGANIC STATUTE

ARTICLE 72.

The Organic Statute shall be interpreted:

- 72.1. By the academic and administrative authorities for their application to the matters under their purview.
- 72.2. In cases of doubt nor controversy, by the university jurisdictional bodies and, in the final instance, by the Board of Trustees, which, should it deem it necessary, shall solicit the University Tribunal's assistance.

MODIFICATIONS TO THE ORGANIC STATUTE

ARTICLE 73.

The Organic Statute may be modified by the Board of Trustees at the initiative of the Rector, the Chairperson of ITESO, AC, of any member of the Board of Trustees or of the University Council. For the modifications to be valid and mandatory, a call to meeting and a specific session of this body shall be required, as well as an attendance quorum of all of its members and a voting quorum of seven votes of all of its voting members. The approved modifications shall be published by the Rector in accordance with the provisions of the Board of Trustees.

ARTICLE 74.

The Board of Trustees must make a statement regarding the initiatives to modify the Organic Statute promoted by those who have the authority to do so, within a period of no more than one hundred eighty calendar days, in the understanding that should it not do so, the proposals shall be deemed approved, valid and enforceable and must be published by whoever promoted the modifications.

Furthermore, as of the moment of publication, the statutory provisions conflicting with the published modifications shall be abrogated.

TRANSITORY ARTICLES

FIRST.

The Organic Statute shall take effect the day after its publication.

SECOND.

The Organic Statute abrogates the one approved by the Board of Trustees in session 327, extraordinary, dated January 20, 2003; it abrogates the bodies of norms and invalidates any other provision that conflicts with it.

THIRD.

Should the Statute being published order or imply the elaboration of new regulations for specific matters, the regulations in effects governing said matters shall remain in effect until the new regulations are duly published by the Rector.

FOURTH.

The experimental academic and administrative projects currently in operation shall continue to operate, in the understanding that the people in charge of said projects shall submit their authorization for reconfirmation by the Rector within twelve months of this Statute's taking effect. Projects that do not obtain the reconfirmation of their authorization by the Rector in the aforementioned period shall cease operating immediately.

FIFTH.

The current University Council shall be dissolved as of the publication of this Statute. The elected members of the new University Council shall be elected within two months of the publication of the Organic Statute in accordance with the procedure that the Rector, for this one occasion only, shall establish.

SIXTH.

The institutional regulations, manuals, frameworks, rules, guidelines, policies, processes or statements and the regulatory instruments named therein, that are in effect, and that have created or granted functions and powers to collegial bodies of limited or unlimited duration, for the purpose of resolving, addressing or handling specific academic, administrative, financial or information system issues, shall be abrogated in a period of twelve months as of the publication of this Statute. For said collegial bodies to subsist, the agreement of the University Council in full shall be required; the University Council shall make its respective determination within twelve months of the publication of this Statute, in accordance with the procedure that this same Council shall design.

SEVENTH.

The Rector shall propose to the Board of Trustees, within three months of the publication of this Organic Statute, the names of the new members of the University Tribunal, who shall meet the requirements set forth in said Statute. On this one occasion only, in addition to the names, the Rector shall propose the periods for which each one of the proposed persons will serve on the Tribunal and, also for this one occasion only, he shall appoint as member and chairperson of the new University Tribunal, for a period of three years, one of the members of the former University Tribunal.

EIGHTH.

The modifications of the former names of the positions, responsibilities and jobs in the Organic Statute that is to take effect do not imply changes to the former organic structure or to the corresponding remunerations or labor benefits.

NINTH.

As of the date on which this Organic Statute takes effect, the Human Formation Center and the Language Center shall be called the Human Formation Department and the Language Department, respectively.

TENTH.

The Board of Trustees and the University Council shall issue their own internal regulations that shall govern them, and the Board of Trustees, the regulations of the University Tribunal, within six months of the date this Statute is published.

ELEVENTH.

In order to create for the first time the Legislative Commission of the University Council, the Rector, after consulting with the University Council in full, shall name the three members, with no possibility of extension: one shall remain in the position for three years; another, for four; and the remaining one, for five.

TWELFTH.

The modifications to article 21 approved by the Board of Trustees in its ordinary session 525, held on October 18, 2021, shall take effect on the day after their publication on the institutional communication board.