

**GOVERNMENT OF PUERTO RICO
LA FORTALEZA
SAN JUAN, PUERTO RICO**

Administrative Bulletin Number: OE-2023-014

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. PEDRO R. PIERLUISI, FOR THE PURPOSES OF CREATING THE INITIATIVE FOR THE EDUCATION DECENTRALIZATION AND REGIONAL AUTONOMY OF THE DEPARTMENT OF EDUCATION (“IDEAR”, FOR ITS SPANISH ACRONYM), ESTABLISHING AN EXECUTIVE COMMITTEE IN CHARGE OF RECOMMENDING STRATEGIES AND ACTION FRAMEWORKS, AND OTHER RELATED PURPOSES


WHEREAS: The right to public education is enshrined in the Constitution of Puerto Rico. Our public education system has a duty to promote the full development of students, as well as promoting respect for fundamental rights and freedoms, in addition to providing students with the necessary skills and knowledge to improve their quality of life and their access to job opportunities. There is no doubt that education is the cornerstone for the socioeconomic development of our society.

WHEREAS: Under Act No. 85-2018, as amended, known as the “Puerto Rico Education Reform Act,” the legal framework governing public education on the Island was revised to allow students to take the center stage and be the main focus of education. Furthermore, efforts were made to decentralize the system through the establishment of several educational choices for students and the creation of Regional Education Offices (“REO”). However, this statute has not been implemented in full.

WHEREAS: The Puerto Rico Department of Education (“Department”) is currently divided into seven (7) regions, which, in turn, have just over 860 active schools, about 25,000 teachers and more than 10,000 non-teaching employees. Enrollment for the current school year stands at close to 250,000 students.

WHEREAS: Puerto Rico is one of the few U.S. jurisdictions that continues to operate as a unitary system where State (“State Education Agency” or “SEA”) and local (“Local Education Agency” or “LEA”) functions are performed by the same agency in a centralized manner. Our jointly assessed educational system is the sixth largest school district among all U.S. jurisdictions.

WHEREAS: Given the Department’s current structure, operation is limited in multiple areas, and they face challenges in purchasing, procurement, human resources, and timely access to federal funds.

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WHEREAS: A decentralized, more streamlined internal structure needs to be designed to grant greater decision-making autonomy to the REOs. In doing so, the Department will be able to address the needs of the school community promptly and efficiently. A well-designed and well-implemented decentralized model will enable students to have, in a timely manner, the resources they need for successful academic performance.

WHEREAS: The Puerto Rico Office of Management and Budget (“OGP,” for its Spanish acronym) is the entity of the Executive Branch in charge of advising the Governor on budget, program, and management issues. Moreover, it has a duty to promote integrity and efficiency in the management of public, state, and federal funds, as well as conducting all necessary procedures to improve and increase the effectiveness and efficiency of all government agencies.

WHEREAS: The administration of President Joseph R. Biden, Jr. has been an ally of the Government of Puerto Rico and has lent a helping hand to accelerate the Island’s reconstruction and maximize federal programs that benefit our citizens. On the other hand, the United States Secretary of Education, Miguel A. Cardona, has been a close collaborator and has included in his agenda the provision of support and technical assistance toward the improvement of the Department.

WHEREAS: As a result of this collaborative work, we will develop a coordinated strategy known as the Department’s Education decentralization and Regional Autonomy Initiative (“IDEAR,” for its Spanish acronym), whereby strategies and action frameworks shall be designed in accordance with the Law to achieve a greater autonomy at the REO level, thus improving the quality of education and the services received by our students.

THEREFORE: I, PEDRO R. PIERLUISI, Governor of Puerto Rico, by virtue of the powers inherent to my office and the authority vested in me by the Constitution and the Laws of the Government of Puerto Rico, hereby declare and order the following:

SECTION 1: **PUBLIC POLICY.** The Education Decentralization and Regional Autonomy Initiative (“IDEAR”) is hereby created and the commencement of an organized and phased process for the decentralization of the Department is hereby established as public policy, so that the duties of the SEA are segregated from the duties of the local education agency, and that these functions are performed

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with greater autonomy in all the REO structures resulting from the decentralized model. Once all REOs have an appropriate administrative and organizational structure, they will be designated as LEAs and will assume their responsibilities in accordance with applicable regulations and the standard model practices at the federal level. During the implementation of this Executive Order, efforts shall be made to promote the improvement of the quality of the educational services received by students, as well as to ensure the optimal use of the federal funds available for the Department.

SECTION 2: **EXECUTIVE COMMITTEE:** An Executive Committee is hereby created to implement the Education Decentralization and Regional Autonomy Initiative (“Executive Committee”), which shall operate under the OGP and shall receive administrative and budget support from said agency. The Committee shall be dedicated to developing a strategy and an action framework for the Department to implement the public policy established herein. Once this document is issued, the Executive Committee shall ensure it is properly implemented.

SECTION 3: **COMPOSITION OF THE EXECUTIVE COMMITTEE.** The Executive Committee shall be composed of the following persons:

1. The Governor’s Chief of Staff, or her representative;
2. The Secretary of the Department of Education, or his representative;
3. The Director of the Office of Management and Budget; or his representative;
4. The Secretary of the Puerto Rico Department of Treasury, or his representative;
5. A representative of the Secretary of the U.S. Department of Education;
6. A school community representative, appointed by the Governor, and
7. Any other member(s) may be appointed by the Governor.

The members of the Advisory Committee shall serve on the Committee as long as necessary and at the sole discretion of the Governor. The Governor shall appoint a Committee chair among its members.

SECTION 4: **DUTIES AND POWERS.** The Advisory Committee shall have the following duties, powers, and responsibilities, among others:

1. Designing a strategy for the segregation of duties at the Department, as provided in Section 1 of this Executive Order,

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- with the school community's participation and input;
2. Recommending changes to the Department's organizational and administrative structure, so that, in an organized and phased manner, some or all of the REOs or groups of schools within the REOs can be designated as LEAs, in accordance with federal regulations;
 3. Recommending actions that will enable the Department's officials to work effectively under the new model, both at the central and the SEA level, as well as for those at the REOs and LEAs. This includes training, technology, and process and procedure redesign.
 4. Evaluating the governance models of the LEAs in U.S. jurisdictions and issuing a recommendation tailored to the needs of Puerto Rico.
 5. Designing and implementing an educational campaign for the school community on the objectives of the Department's decentralization and the autonomy of the REOs;
 6. Requesting information and necessary data from the Department and from any agency in order to carry out their functions;
 7. Seeking advice or requesting technical assistance from the Department or from any other state or federal agency on any subject related to the implementation of this Executive Order;
 8. Seeking advice or requesting technical assistance from nonprofit, community, or college entities with educational, organizational, administrative, or federal funding expertise, among other similar areas;
 9. Requesting the OGP, and any other agency, the hiring or recruitment of all necessary resources for the implementation of this Executive Order;
 10. Working in close collaboration and coordination with the U.S. Department of Education;
 11. Assisting the Department and the OGP in the implementation of the public policy established in this Executive Order;
 12. Creating working groups or subcommittees where some of its members would be able to collaborate with experts to advance specific initiatives;

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13. Any other duty or power that may be required to comply with this Executive Order.

SECTION 5: **REPORT TO THE GOVERNOR.** The Executive Committee shall submit the Governor, no later than ninety (90) days after the enactment of this Executive Order, a report containing its recommendations on the strategy and the action framework to implement the public policy established herein. Progress reports on the public policy implementation shall be subsequently issued by the Committee every sixty (60) days.

SECTION 6: **DECENTRALIZATION AND AUTONOMY.** Once the Executive Committee issues the report containing the recommendations, strategy, and action framework, the Department, with technical support from the Committee, the OGP, and the Puerto Rico Department of Treasury, shall begin a gradual transition process aimed at implementing the decentralization and regional autonomy ordered herein. This process shall be conducted in an orderly and phased manner, always ensuring the good quality of the services provided by the Department and compliance with all applicable state and federal rules.

SECTION 7: **AUTHORIZATION TO IMPLEMENT.** All agency employees and officials are hereby authorized and ordered to take all necessary and appropriate steps to implement the recommendations and the action framework resulting from the report produced by the Executive Committed created under this Executive Order.

SECTION 8: **DEFINITION OF "AGENCY."** For the purposes of this Executive Order, the term "agency" refers to any agency, instrumentality, office, or department of the Executive Branch of the Government of Puerto Rico, including public corporations, regardless of their name.

SECTION 9: **NON-CREATION OF ENFORCEABLE RIGHTS.** This Executive Order is not intended to create any rights, substantive or procedural, enforceable at law or equity, by any person or entity, in any matter, civil, criminal, or administrative, against the Government of Puerto Rico or its agencies, officials, employees, or any other person.

SECTION 10: **PRIOR ORDERS SUPERSEDED.** This Executive Order repeals any other Executive Order that may, in whole or in part, be inconsistent with the provisions herein, to the extent of such inconsistency.

SECTION 11: **SEVERABILITY.** The provisions of this Executive Order are separate and independent of each other, and if any part, section, provision, or

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sentence of this Executive Order is declared unconstitutional, void, or invalid by a court of jurisdiction and venue, such decision shall not affect the validity of the remaining provisions, which shall remain in full force.

SECTION 12: **VALIDITY.** This Executive Order shall enter into force immediately and shall remain in force until amended or repealed by a subsequent executive order or by law.

SECTION 13: **PUBLICATION.** This Executive Order shall be filed immediately with the Department of State and the widest possible publication is hereby ordered.



IN TESTIMONY WHEREOF, I hereby issue this Executive Order under my signature and cause the Great Seal of the Government of Puerto Rico to be affixed in San Juan, Puerto Rico, on this 22nd day of May of 2023.

**PEDRO R. PIERLUISI
GOVERNOR**

Enacted in accordance with the law on this 22nd day of May of 2023.

**LERSY G. BORIA VIZCARRONDO
INTERIM SECRETARY OF STATE**