

## Higher Education Institutions Student Discipline Regulation

### REGULATIONS

From the Presidency of the Higher Education Council:

### HIGHER EDUCATION INSTITUTIONS STUDENT DISCIPLINARY REGULATION

#### FIRST PART

Purpose, Scope, Basis and Definitions, Purpose and scope

ARTICLE 1 - (1) The aim of this Regulation is to arrange the disciplinary punishments to be given to the students of higher education institutions and the procedures and principles of the investigation.

(2) This Regulation covers all students in higher education institutions.

Base

ARTICLE 2 - (1) This Regulation has been prepared on the basis of Article 54 of Higher Education Law dated 4/11/1981 and number 2547 of Higher Education Law and paragraph (9) of paragraph (a) of Article 65.

Definitions

ARTICLE 3 - (1) In this Regulation;

- a) Student: Persons who have obtained associate degree, bachelor's degree, master's degree, doctorate degree, proficiency in arts or proficiency in arts in higher education institutions,
- b) Condemnation: The student shall be informed in writing of the offense due to his / her defective behavior related to the student,
- c) Warning: A written statement that the student should be more careful in his / her behavior as a warning,
- d) Higher Education Institutions: Universities, high technology institutes and the faculties, institutes, higher schools, conservatories, vocational schools, application and research centers,
- e) Dismissal from the Higher Education Institution from one week to one month: The student shall be informed by written notice that he / she is removed from the higher education institution for one week to one month,
- f) Removal from Higher Education Institution for one semester: The student shall be informed in writing of the fact that one semester is removed from the higher education institution and that he /
- g) Dismissal from Higher Education Institution: The student shall be informed in writing of his / her withdrawal from the student institution not to be taken into the higher education institution,
- h) Removal from Higher Education Institution for Two Semesters: Student means to be informed in writing that two semesters are removed from higher education institution and that student can not benefit from student rights during this period.

#### SECOND PART

Disciplinary Crimes and Disciplinary Crimes Requiring Disciplinary Crimes

ARTICLE 4 - (1) The acts which require a warning are:

- a) Failing to answer the questions asked in the authorities of the higher education institution in a timely manner without just cause,
- b) To post announcements outside the places determined by the authorities of the higher education institution,
- c) To cut, tear, change, deface or pollute the announcements, programs and the like suspended by the permission of the higher education institution.

Disciplinary offenses that require a reprimand

ARTICLE 5 - (1) The actions which require punishment of reprimand are as follows;

- a) To report missing or inaccurate information requested by the authorities of the higher education institution,
- b) Work such as lectures, seminars, practices, labs, workshops, scientific meetings and conferences disrupt order,
- c) To hang banners and posters without permission in the higher education institution,
- d) To tear off, change, deface or pollute the announcements, programs and the like hanged in the institution of higher education,
- e) Attempting to take copies during the exams.

Disciplinary offenses requiring a penalty of one week to one month from the institution of higher education

ARTICLE 6 - (1) The actions of a person who is required to impose a penalty of one week to one month from the higher education institution are ;

- a) to engage in activities that hinder the freedom of learning and teaching,
- b) To prevent the conduct of disciplinary investigations in a healthy manner,
- c) To grant a certificate of self-sufficiency from the higher education institution to another person or to use another person's document,
- d) To conduct verbal or written actions that impair the honor and dignity of the persons in the higher education institution,
- e) Oral or written actions that violate the honor and dignity of the staff of higher education institutions, inside or outside the institution,
- f) Drinking alcoholic beverages in the higher education institution,
- g) Organizing meetings in closed and open spaces belonging to the higher education institution without permission from the authorities.

Disciplinary offenses that require punishment for suspension from a higher education institution for one semester

ARTICLE 7 - (1) The actions which require punishment for suspension from a higher education institution for one semester are;

- a) To threaten the staff and students of the higher education institution,

- b) to take part in occupations and similar acts in higher education institutions to prevent the services of the higher education institution
- c) To actively attack the staff and students of the institution,
- d) To steal in higher education institutions,
- e) To destroy existing buildings, fixtures and similar materials in the higher education institution or to damage the information system,
- f) To take copies or to produce them during the exams,
- g) Plagiarize in seminars, theses and publications.

Disciplinary offenses which require punishment for removal from the higher education institution for two semesters

ARTICLE 8 - (1) The actions which require punishment for removal from the higher education institution for two semesters are;

- a) To prevent the use of force and violence against the duties of higher education institutions,
- b) Prevent students from using higher education services by using force and violence,
- c) to arrange for or take action to engage in any act committed by any person or group, violence or threat,
- d) To use drugs and stimulants within the institutions of higher education, to carry and possess it,
- e) To make a copy of the threat in the examinations, to prevent the students who are copying from being removed from the exam room, to put someone else in their place or to take the place of someone else,
- f) Sexual harassment in higher education institutions,
- g) Firearms and knives and other appliances dated 10/7/1953 and numbered 6136 in higher education institutions ;

The transfer of firearms and other tools, explosives and other specially made tools for attacking and defending with bullets and knives,

- g) Hacking into the information system of the higher education institution and providing an unfair advantage to itself or to someone else's benefit.

Disciplinary offenses that require punishment for removal from higher education institutions

ARTICLE 9 - (1) The actions which require the punishment to remove from the institution of higher education are as follows;

- a) Establishing an organization for the purpose of committing a crime, administering such an organization, helping out or acting as an organized member for this purpose, acting on behalf of the organization
- b) To sell, purchase, give to others and trade in drugs or stimulants in higher education institutions,
- c) About firearms and knives and other tools No. 6136 In addition to firearms, bullets and other tools which are specially designed to be used for defending with blades, using explosive materials,
- d) To violate the sexual immunity of persons by carrying out sexual behavior on their bodies.

**Unpredicted disciplinary offenses**

ARTICLE 10 - (1) Disciplinary punishments of the same kind shall also be given to those who have similar actions in terms of their quality and weight to the actions required to give warning and condemnation penalty, except for disciplinary offenses which require punishment for removal from the higher education institution.

Repetition of disciplinary crime

ARTICLE 11 - (1) A severely punishable penalty shall be imposed on the repetition of an action which resulted in the disciplinary action.

(2) In the event of a repetition of disciplinary offense, a penalty for withdrawal from the higher education institution shall not be granted.

### THIRD PART

Disciplinary Inquiry

Supervisors authorized to investigate

ARTICLE 12 - (1) Supervisors authorized to conduct disciplinary investigations are;

- a) Deans due to disciplinary crimes of faculty students,
- b) The director of the institute, because of disciplinary offenses committed by the students of the institute,
- c) Due to the disciplinary crimes of high school and vocational high school students,
- d) Conservatory director due to the disciplinary crimes of the conservatory students,
- e) Rectors of universities in relation to collective student activities in the common area or spaces.

(2) Supervisors authorized to initiate an inquiry may conduct the inquiry personally, or they may do it by appointing an investigator or investigators.

Survey duration and time limit

ARTICLE 13 - (1) The disciplinary investigation shall be started immediately following the learning of the event. The inquiry is concluded within fifteen days from the date of approval. If the investigation can not be completed within this period, the investigator will be required to give an additional period of time.

Disciplinary officer is authorized to investigate and may prolong the length of the investigation if they find it appropriate.

(2) From the date on which the students who have committed the acts of disciplinary offense mentioned in this Regulation are informed that they have been authorized to investigate these actions;

- a) Warning, condemnation, within one month of suspension from the institution of higher education for one week to one month,
- b) Removal from the higher education institution for one or two semesters and removal from the higher education institution;

If the disciplinary investigation is not initiated within three months of the sentence, the authority to issue disciplinary punishment expires.

(3) If disciplinary action is not filed within two years at the latest from the date on which the actions requiring disciplinary action are committed, the disciplinary penalties are subject to time limitation. However, where the disciplinary supervisor or board needs a judicial jurisdiction, The period of time-limit

starts from the day when the judgment of the judicial jurisdiction is finalized. This requirement is determined by a decision taken by the authorized disciplinary supervisor or the board.

The way the investigation was conducted

ARTICLE 14 - (1) The confidentiality of the investigation is essential.

(2) The investigator may listen to witnesses, make explorations, and consult the expert. The proceedings of the investigation are determined by a record. Minutes; the nature of the transaction, who participated in the transaction, where the transaction was made and when it was made, the questions and answers that were expressed, and the investigator, clerk ;

if they are present, it will be signed by those present at the time of the discovery. In the case of recognition and expert appointment vowed to the expert; the identity of the witness, address and other descriptive information.

(3) The staff of the higher education institutions shall provide any information, files and other documents requested by the investigators without delay and fulfill the requested assistance.

(4) The investigator conducts and completes the investigation, limited to the persons and actions investigated. The investigator who determined that other disciplinary offenses were committed during the investigation, other than the action being investigated, or that other persons should be included in the investigation under the same crime notifies the competent authority.

(5) The disciplinary offense does not constitute a hindrance for the disciplinary offense to change place within the higher education institution or to change the higher education institution or to leave the higher education institution for whatever reason, to open the investigation and to make the necessary decisions.

### **Right of defense**

**ARTICLE 15 - (1) The student whose disciplinary inquiry is opened shall be notified in writing at least seven days before the date of his defense that the offense charged is the cause. In this text; specified by the student ;**

**Day, time and place of defense.**

**(2) If the defendant who has come to make a defense requests to submit in writing, a period of not less than three days may be granted to him. After the written defense is presented, the investigator may direct additional questions to the student.**

**(3) Invitation to send student; it is stated that if the call is not an excuse, it does not comply or if it does not report the disposition at the time, it will be considered as abandoned without defense and the necessary decision will be made based on the other evidence.**

**(4) An appropriate period of time shall be granted to the student who has declared a valid apology or who is understood to have failed to comply with the order for coercive reasons. The detained students are informed that they can send their defense in writing.**

**(5) The investigation is conducted in such a way as to allow the student to defend himself / herself as it should.**

### **Investigation report**

**ARTICLE 16 - (1) A report is prepared when the investigation is concluded. Approval of the investigation in the report, the date of the commencement of the investigation, the identity of the investigation, the offenses committed, the phases of the investigation, the evidence and the defense received are summarized. It is debated whether the charged crime is fixed and the necessary disciplinary punishment is offered. The original or copies of the documents related to the investigation are attached to a series of compasses and attached to the report. The investigation**

**report, together with the file, is deposited with the coroner. Added. The investigation report shall be deposited with the case which opened the investigation together with the file.**

### **Conducting criminal prosecution and disciplinary investigation together**

ARTICLE 17 - (1) Due to the same incident, the initiation of criminal proceedings against the student does not delay disciplinary proceedings. Criminal prosecutions against the student and whether or not he is convicted under the law does not constitute an obstacle to the disciplinary action.

Finalizing the investigation

ARTICLE 18 - (1) Penalties for warning, condemnation and suspension of higher education institutions from one week to one month shall be imposed on the faculty dean, institute, conservatory, college or vocational school.

(2) Due to disciplinary offenses committed in common spaces, the rector has the authority to warn, reprimand, and to impose a suspension of up to one month from higher education institutions.

(3) Penalty for removal from the higher education institution by suspension penalty for one or two semesters from the higher education institution shall be given by the authorized discipline board.

(4) Administrative committees of these units in the inquiries carried out in faculties, institutes, conservatories, vocational schools and vocational schools fulfill the task of disciplinary board of university board of directors in investigations carried out by the rectorate.

(5) The rector, dean, director or disciplinary committee, which considers the investigation file, may ask the same investigator or a member of the disciplinary committee to complete the specific investigations deemed to be omitted if deemed necessary.

The working procedure of the disciplinary board

ARTICLE 19 - (1) The disciplinary committee meets on the place, day and hour to be determined upon the call of the chairman.

(2) The preparation of the meeting agenda, the announcement of the meetings, and the regular execution of the board meetings are provided by the chairman.

(3) As the disciplinary committee, the meeting committee of the board of directors is the absolute majority of the total number of board members.

Rapporteur and interview procedure

ARTICLE 20 - (1) The task of the rapporteur on the Disciplinary Committees is executed. The reporter member shall complete the examination of the file to be transferred within two days at the latest and shall submit the report to the chairman.

(2) In the Assembly, firstly the explanation of the reporter shall be heard. If the board sees it, the investigators can listen.

At the end of the talks, a vote is held and the decision is announced by the president.

### **Voting and decision**

ARTICLE 21 - (1) The supervisor or the disciplinary board authorized to issue disciplinary action is free to accept the proposed sentence in the investigation report; may give another disciplinary penalty provided that they show their reasons.

(2) Decisions in disciplinary committees are taken by the absolute majority of those attending the meeting. In the case of equality of votes, a majority in the direction of the president's vote is deemed to have been established.

(3) The investigator disciplinary committee member shall not participate in the meetings of the investigation file and shall not vote.

### **Decision time**

ARTICLE 22 - (1) Supervisors authorized to give disciplinary punishment must make a decision within 10 days from the day of completing the investigation to warning, condemnation, suspension of the institution from one week to one month from the higher education institution.

(2) In cases where other disciplinary punishments are required, the file shall be referred to the discipline board immediately.

The disciplinary committee must decide within ten days at the latest from the date of receipt of the file.

Things to be aware of when disciplinary action is given

ARTICLE 23 - (1) Discipline boards and disciplinary committees authorized to issue disciplinary penalties take into account the severity of the actions that constitute the disciplinary offense, whether the investigating student has previously received a disciplinary punishment, or not, because of his actions, they take into account whether or not they feel regret because of the act they committed ,attitudes and actions.

### **SECTION FOUR**

Application and appeal

Notification of penalties

ARTICLE 24 - (1) The disciplinary punishment given at the end of the disciplinary investigation is determined by the superior authorized to investigate;

a) The student whose disciplinary inquiry has been made,

b) The student shall be granted a scholarship or grant to the granting institution and the higher education institution,

c) In case of a universal withdrawal penalty, it shall be notified to the higher education board, the OSYM, the security authorities and the relevant military branches of all higher education institutions in addition to the above.

### **Implementation of disciplinary penalties**

ARTICLE 25 - (1) Disciplinary punishment shall be applied from the date when disciplinary punishment is given, unless it is stated in the date of the execution of the supervisor or board decisions to issue disciplinary punishment.

How to apply against disciplinary punishment

ARTICLE 26 - (1) Within fifteen days against disciplinary penalties given by disciplinary supervisors and boards, objections may be carried out to the university board of directors.

(2) In the event of objection, the university board of directors, which is the authority of appeal, shall definitively establish the appeal within fifteen days. In the event of objection, the university board of directors, which is the appeal authority, examines the decision and accepts or rejects the sentence exactly. In case of dismissal, the disciplinary board or the competent discipline binds the appeal taking into account the reasons for dismissal.

(3) Against punishment in accordance with this Regulation, the right of appeal can be applied to administrative proceedings without the right to appeal.

## **PART FIVE**

### **Miscellaneous and Final Provisions**

#### **Notification and address reporting**

ARTICLE 27 - (1) Due to disciplinary investigation, all kinds of notifications, an electronic address is given to the person who is informed to the higher education institution by the student. In cases where the communication is not possible with these means, notification shall be announced in the relevant higher education institution and the notification shall be considered as completed.

(2) Students who have changed their address when enrolled in a higher education institution, who have not registered it in the institutions they are affiliated with or have given incorrect or incomplete address, are notified to their addresses in the higher education institution if they are notified.

#### File delivery

ARTICLE 28 - (1) The files belonging to the disciplinary investigation shall be delivered and taken together with the series of letters. The array is found under the compass and has signatures of the field.

#### Form of correspondence

ARTICLE 29 - (1) The provisions of the Notification Law numbered 7201 shall apply in other cases, while the correspondence with persons shall be communicated in the manner prescribed in the 28th article.

(2) In case of giving the document at the same time, the signed document is stored in the investigation file.

#### Ongoing disciplinary investigations

PROVISIONAL ARTICLE 1 - (1) The provisions of this Regulation shall apply to disciplinary investigations which have been initiated but not completed before the date on which this Regulation entered into force.

#### Regulation removed from the enforcement

ARTICLE 30 - (1) The Disciplinary Regulations of Higher Education Institutions published in the Official Newspaper dated 13/1/1985 and numbered 18634 have been abolished from the time of enforcement.

#### Force

ARTICLE 31 - (1) This Regulation shall enter into force on the date of its publication.

#### Executive

ARTICLE 32 - (1) The provisions of this Regulation shall be executed by the President of the Higher Education Council.