

STUDENT DISCIPLINE REGULATIONS OF THE INSTITUTIONS OF HIGHER EDUCATION

PART ONE

General Judgments

Aim

Article 1. This Regulation is designed to determine the disciplinary actions and judgments relevant to procedure and organization for students who do not fulfill the tasks imposed laws, rules, regulations and directives within and outside the institution of higher education, do not comply with normative issues, does forbidden activities, or students who shows behavior incompatible with honor and dignity of a student.

Scope

Article 2. Disciplinary penalties, actions and disciplinary authorities with the right to give these disciplinary penalties, disciplinary boards and disciplinary investigations, appeal to these penalties and principles and procedures to apply these penalties to students in institutions of higher education are determined in this Regulation.

Legal Basis

Article 3. Article 54 and a/9 Section of Article 65 of Higher Education Law No. 2547 constitutes the legal basis for this Regulation.

Definitions

Article 4. The definitions of expressions in this Regulation are as follows:

Higher Education Institutes: Universities, faculties, institutes, colleges, conservatories, vocational high schools and application and research centers.

Student: People who are receiving education associate, undergraduate, master, doctorate or specialty in medicine or artistic competence.

Suspension from Higher Education Institute: the ban for student to enter the buildings, gardens, attachments or facilities of a higher education institute during the determined period.

Part Two

Disciplinary Actions and Penalties

Disciplinary Actions

Article 5. The disciplinary penalties are as follows:

- A) Warning: The student is served with a written notice to be more careful and concerned with student behavior.
- B) Condemnation: A written statement served to a student saying his behaviors are blameworthy.
- C) Suspension from Higher Education Institute between One Week to One Month: A written notice to the student saying that the student is suspended from the institute and cannot make use of student rights between one week and one month.
- D) Deregistration from Higher Education Institute: A written notice to the student saying that the student is deregistered from the institute and cannot apply for another higher education institute.

Article 6. Actions and behavior requiring warning penalty are as follows:

- a) Behaving against the required solemnity of a student.
- b) Behaving rude and disrespectful to people, making noise, disturbing people with shouting, singing or playing an instrument and not keeping his environment clean,
- c) Not responding to judgments by authorities in time without a righteous reason
- d) Occupying areas reserved for guests or academic staff in meetings and ceremonies,

Discipline Actions necessary for condemnation

Article 7. Disciplinary actions necessary for condemnation are as follows:

- a) Undertaking actions which threaten the esteem and attitude as required of a student.
- b) drawing signs, pictures or figures on walls of higher education Institutions or writing on the inventory stock.
- c) Not responding to judgments by authorities in time or with false information, without a righteous reason
- d) Hanging brochures out of the places determined by authorities

- e) interrupting activities, such as Lectures, seminars, practice, laboratory, workshops and conferences
- f) participating in activities of Institution of higher education such as courses, seminars, conferences after consuming alcohol.
- g) Gambling or accommodating gambling
- h) (Abrogated:R.G.-28/12/1989-20386)

Disciplinary actions requiring Suspension from Higher Education Institute between One Week to One Month

Article 8. Disciplinary actions requiring Suspension from Higher Education Institute between One Week to One Month are as follows:

- a) Restricting the Freedom of teaching and learning, directly or indirectly by undertaking actions disturbing working order, the peace and tranquility of higher education institutions
- b) Undertaking actions that would violate the ceremony program at the ceremonies in order to disrupt the ceremony.
- c) Carrying out political activities in institutions of higher education
- d) Occupying areas reserved for guests or academic staff in meetings and ceremonies, despite the warnings.
- e) Preventing the execution of of disciplinary investigations in a healthy way.
- f) Hanging out or distributing announcements, posters and banners in higher education institutions
- g) giving a document to another person providing rights to himself obtained from a higher education institution or using a document belonging to someone else from the same institution
- h) Writing immoral words, pasting or painting pictures on permanent furniture or doors, walls and similar places in a Higher Education Institution.
- i) snatching, rending, modifying, discrediting or tarnishing announcements, programs, and so hung with the permission of the Higher Education institution or organization

Article 9. Disciplinary actions requiring Suspension from Higher Education Institute for one or two Terms are as follows:

- A) Threatening trustees, teaching staff and other officials of Institution of higher education, attacking their honor and dignity or personality with written or verbal acts,
- B) Talking aggressively against the decisions of the higher education institution administrators, or publishing, attempting to provoke students or such acts, alone or collectively.
- C) boycotting, occupying, or attempting actions such as blocking the services of higher education institution for purposes other than political and ideological,
- D) Organizing path-breaking polarization activities in terms of Language, race, religion and sect,
- E) Physically assaulting fellow students and institution staff,
- F) Writing political or ideological articles, pictures, emblems, and the like, or paint pictures on doors, walls and similar places and permanent furniture in a Higher Education Institution,
- G) Burglary,
- H) Drinking alcoholic beverages in a higher education institution,
- I) Provocating students and other people to disturb services of higher education institutions.
- J) (changed: R.G.-15/11/1990-20696) Without permission of Higher Education Organisation, to make representations, to attend meetings or ceremonies or meetings, or participate in such meetings, though they are not authorized to represent the students, assuming the title of student representatives in Indoor and outdoor locations,
- K) Despite being prohibited from entering buildings of the higher education institution, disobeying the decision, or entering or damaging or destroying buildings sealed by authorized bodies,
- L) Carrying, duplicating, or distributing any kind of prohibited publication in higher education institutions,

M) (changed: R.G.-15/11/1990-20696) Attempting or performing cheating in exams,
Disciplinary Actions Requiring Deregistration from Higher Education Institutions
Article 10. Disciplinary Actions Requiring Deregistration from Higher Education Institutions
are as follows:

- a) Removing students and officials out of the institution, using force and violence, impeding their mission or forcing students to such behavior
- b) With ideological and political purposes, disturbing the peace and tranquility of higher education institutions, or boycotting, occupying, blocking, or slowing the work of staff, or to participate in such actions and actions to drive these aims,
- c) keeping, reproducing or distributing political or ideological statement, posters, banners, bands and the like in higher education institutions for political or ideological reasons, or writing them on the furniture of buildings of the institution, or making oral or written propaganda,
- d) threatening a person or group into an action which is considered a crime, to organize or participate in such an action, or make false statements or false evidence to make someone take the blame of such a crime,
- e) Becoming a member of illegal organizations, carrying out activities on behalf of these organizations or contributing to them,
- f) using, carrying, keeping, or trading drugs,
- g) Being punished for the offenses against the state,
- h) carrying firearms, bullets and knives and other instruments made specifically for use in attack and defense, or keeping explosive materials within the higher education institutions or being convicted of these crimes,
- i) Representing open or hidden organizations, associations etc. in the premises or attachments of the higher education institution without permission
- j) Threatening to cheat in exams, preventing the removal of students who cheat from the classroom, make someone take the exam for the student or enter an exam instead of someone else.
- k) Preventing operation of disciplinary investigation or disciplinary board's tasks by force or threat,
- l) Raping,
- m) sheltering or hiding somebody wanted by the Security forces,
- n) Preventing to enter classes or exams, the implementation of courses or exams in any way, sending the students outside the lesson, and provocative or challenging behavior to do so.
- o) Torturing one person or a group with whatever reason, or accommodation for torture.
- p) prohibitive attitudes and behaviors to flag ceremonies or deliberately suppress the required respect during a ceremony,

Unforeseen Disciplinary Actions

Article 11. Students who commit behavior or actions similar to those for which given penalties are listed above, can also be given same kinds of disciplinary penalties.

Repeating Disciplinary Action

Article 12. An action or behavior which was done before, granting student disciplinary punishment, will require a higher level penalty for the repetition. different offenses that require the same degree of punishment also require a higher level of punishment at the third repetition.

Third Part

Discipline Investigation

Authorized Chief to Implement the Investigation

Article 13. (Changed: R.G.-31/5/1998-23358)

Chiefs authorized to implement disciplinary investigations are:

- a) University Rectors, regarding group actions of students, repeating actions and/or actions in shared areas or locations,
- b) Deans regarding disciplinary actions of faculty students,
- c) Head of Institutes, regarding disciplinary actions of institute students
- d) Head of High Schools, regarding disciplinary actions of high school students,
- e) Head of Conservatory, regarding disciplinary actions of conservatory students,

Chiefs authorized to implement the investigation can do the investigation themselves, or they can appoint one or more investigators.

(Changed third subsection:R.G.-08/06/2006-26192) regarding collective or continuity student actions, a board of inspection and investigation shall be constituted with a number of members, determined by the scope and nature of the event, headed by a faculty member appointed by the rector, and composed of faculty members of faculties, institutes, colleges and if present conservatories. this committee present the reasons and the incidents that occurred, and also necessary measures to prevent reoccurring of this event as a report to the rector.

Also, a proposal is made to the disciplinary chief for students who were found to be guilty, to be given disciplinary penalties of warning, condemnation, and suspension from higher education institute between one week and one month, and to the University Discipline Board for suspension from higher education institute for one or two terms.

Duration of Investigation

Article 14. (Changed first subsection: RG-08/06/2006-26192) Disciplinary investigation will begin within one month after learning of the event. In case of appointing an investigator, the decision of the investigation shall be notified to the investigator without delay. The investigation is concluded within two months from the date of approval.

(Additional second subsection:R.G.-02/02/1993-21484) In case the investigation can not be completed in this duration, the investigator can demand additional time with reasons. The investigating chief can extend the duration if found appropriate.

The way the investigation is carried out

Article 15. The investigator listens to witnesses, can go for an exploration, or apply to an authority and also, can get these done with a rogatory. Every investigation is determined with a written report. The written report is designed as showing where and when the transaction is made, the nature of the process, who took part, if a witness is listened, the questions and answers; and is signed by the investigator, the report writer, the witness and others who were present or report responsible. In the rogatory order, the identity, address and further explanatory information of the witness are clearly defined. The witness is made to take an oath duly, and the way the oath is taken is also noted.

All institutions of higher education personnel, are obliged to provide any information, files, and other documents investigators want without any delay and to fulfill the requested assistance.

The Right of Defence

Article 16.a)(Changed:RG-08/06/2006-26192) The student about whom disciplinary investigation began is notified about the attributed offense at least seven days before the date on which he will make his defence. In this paper, the student is requested to be present at the specified day, hour and place to conduct the defense. In situations where notification is impossible, the student's contact to the investigator to make his defense shall be declared in certain places of which the student is a member.

b) In the invitation sent to the student, it is declared that if the student fails to comply with the invitation without an excuse, or fails to report his excuse in time, he would be considered to have ceased from his right of defence, and that the decision will be made depending on other evidence.

c) the student who fail to comply with the invitation with a valid excuse or force majeure is given an appropriate time or asked to send his written defense. Imprisoned students are announced that they can send their written defense.

d) In all forms of notification, the provisions of Articles 35 and 37 of this Regulation are applied

e) the investigation is implemented in a way in which the student can properly defend himself. However, the investigation will not be allowed to be extended with defense excuses.

Investigation Report

Article 17. A report is prepared after the investigation is completed. In the report, approval of the investigation, start date of investigation, the identity of the prosecuted, crime issues, stages of the investigation and the evidence received are summarized. Every crime issue is analyzed distinctly and it is debated whether the crime is certain or not, and the disciplinary penalty is proposed. If present, the original or copies of necessary documents are attached to the report in a series. The investigation report is consigned to the investigating authority.

Precautions During the investigation

Article 18. Investigators may want from the competent authority to have the accused to be banned from entering into University premises during the investigation if they deem necessary. The decision of the competent authority is applied.

Whether the student moved inside the higher education institute, or changed the higher education institute, or left the higher education institute for whatever reason, it does not pose an obstacle to start, continue an investigation, or to make necessary decisions.

Execution of Criminal and Disciplinary Proceedings at the same time

Article 19. The fact that a criminal proceeding has begun does not delay the disciplinary investigation.

Whether the accused is sentenced according to crime law or not does not pose an obstacle for the disciplinary investigation.

Finalizing the Investigation

Article 20. a) (Changed:R.G. -08/06/2006-26192) the Dean at faculties, head at institutes, conservatories finalize the investigation report and file directly or send it to the disciplinary board immediately. The disciplinary board announces its decision according to the investigation report in 30 days after receiving the report.

b) the dean, head or disciplinary board may demand from the investigators or a member of the disciplinary board to complete any investigation matters which are deemed deficient.

c)(Repealed:R.G. 25/11/1989-20353)

Article 21. (Changed:R.G.-31/05/1998-23358)

The disciplinary penalties;

a) Penalties of warning, condemnation, and suspension from higher education institute between one week and one month are given directly by the dean of faculty, head of high school, conservatory or institute,

b) Penalty of suspension from higher education institute for one or two terms and deregistration from the Higher Education Institute are given by the authorized disciplinary board.

The Managing Boards of University, Faculty, Institute, Conservatory and High School also implement the duty of disciplinary board.

Assembling the Discipline Board

Article 22. The discipline board is assembled upon the call of the president in the determined place, day and time.

Designing the Work of the Board

Article 23. The president presents the meeting agenda, announces to the interested parties, and enables the regular working of the board.

Quorum

Article 24. The Disciplinary Board of Directors meeting as a quorum of the board is more than half of the total number of committee members.

Reporting

Article 25. The duty of reporting in the board shall be conducted by a member the president appoints. Reporter member completes examination of the transferred file within two days at the latest and delivers the report to the president.

Interview Style

Article 26. The board proceeds with the interviews after listening the reporter member. If deemed necessary, the board can listen to the investigators. When the subject is clearly understood and sufficient interviews are made, voting takes place and the decision is announced by the president.

Voting

Article 27. Every member is charged with voting for or against. No member can vote abstainer. The decision is made with the electoral majority of the participants.

If the votes are level, the side with the president is deemed as majority. The summary of the decision is determined with a report signed by the members.

Decision

Article 28. The authorized chief or disciplinary board has the right whether to accept the proposed penalty or not, and can judge another disciplinary penalty for or against on condition that it provides and records the reasons.

Duration of the Decision

Article 29. Authorities empowered to impose disciplinary punishments are obliged to decide within ten days after the completion of the inspection for disciplinary penalties such as warning, condemnation, and suspension from higher education institute between one week and one month.

In cases where other penalties are necessary, the file is immediately transferred to the Disciplinary Board. the Disciplinary Board is obliged to decide in ten days after receiving the file.

Important Notices while giving Disciplinary Actions

Article 30. A) authorized chiefs and disciplinary boards take into consideration the weight of the actions and activities which compose the disciplinary action, the reason and aim of the suspected student, whether the student received another disciplinary penalty before, the student's behavior, attitude and actions, whether the student feels regret for the action while deciding for one of the penalties.

B) If the student committed actions in their higher education institution together with students of other institutions of higher education, the student shall be punished with a higher degree of discipline.

c) In disciplinary offenses committed collectively, if the criminals could not be detected individually, each of the students who formed community will be given penalties the authorized official or committees deemed appropriate.

Fourth Part

Application and Objection

Informing the Penalties

Article 31. At the end of disciplinary punishment, the authorized official of the investigation informs in writing the following parties:

- a) The student about whom the investigation is done,
- b) Student's mother or father, in their absence, the student's immediate family member
- c) public or private organizations or individuals that give loans or scholarships to the student,
- d) if the penalty is deregistration from the higher education institute, additionally to:
 1. All higher education institutes,
 2. Police Stations,
 3. Relevant Military Service Centers,
 4. The Council of Higher Education (the Presidency of O.S.Y.M.)

Disciplinary penalties, if necessary, may be notified by publication in relevant higher education institution, or their affiliated organizations.

Application

Article 32. (Changed: R.G.-25/10/1993-21740) Unless declared otherwise by the competent authority or committee, the disciplinary penalties apply from date of issue.

Objection, Objection Period and Administrative Court Remedy

Article 33. (Repealed first subsection: R.G.-25/04/1993-21562)

(Changed second subsection: R.G.-25/04/1993-21562) For disciplinary penalties of warning, condemnation, and suspension from higher education institute between one week and one month given by the authorized disciplinary chiefs, and suspension from higher education institute for one or two terms given by the University Discipline Board, a higher authority cannot be objected. An administrative court may be resorted to against the penalties mentioned in this regulation.

University management board may be appealed against the decision of deregistration from the higher education institution given by the Disciplinary committees within fifteen days.

In case of an objection, the university as the objected authority confirms or rejects the penalty.

In case of rejection, Disciplinary Committee or the competent authority of the discipline takes into consideration the reason for rejection and shall decide the appeal.

The student can appeal to an administrative court for decisions against, received from the university board of directors.

Time-Out

Article 34. About students who committed actions or behavior deemed as disciplinary actions named in this Regulation, after the date the chiefs authorized to investigate learned about these actions:

a) For punishments warning, condemnation, and suspension from higher education institute between one week and one month, in one month,

b) for suspension from higher education institute for one or two terms, in six months, Unless the disciplinary investigation begins in the above mentioned periods, the authority to give disciplinary penalties is timed out.

Committed acts and situations that require disciplinary action from the date they were committed, within at the latest two years unless a disciplinary punishment is given, the penalty will expire at the discretion. However, if disciplinary board needs a court sentence, this time-out period starts from the day the court sentence is finalized. The mentioned need is detected with an interim judgment made by the authorized chief or board.

Fifth Part

Various Judgments

Address Notification and Declaration

Article 35. A) Any notification regarding disciplinary proceedings therefore, be submitted in writing to the address given during registration reported by the student's higher education institution or a notification documents completed by the relevant higher education institution shall be deemed to be declared.

- b) Students who didn't notice their change of address to their higher education institutions, who didn't give an address to their institution or who gave false or incomplete address cannot claim not to have been noticed if the notification is sent to the address given by the higher education institution.

Handing in Files

Article 36. The files of the disciplinary investigation shall be delivered with memorandum. Under the memorandum are found the signatures of consigner and consignee.

Communication style

Article 37. Correspondences with persons shall be made with relevant registries. If the documents is delivered by hand, a signed document is stored in the file.

Without prejudice to the notification form of Article 35, other issues are subject to law No. 7201.

Prohibitions

Article 38. Secrecy is essential at every stage of the investigation. For those who fail to comply, the judgments declared in this Regulation or "Institutions of Higher Education Director, Academic Staff and Administrative Disciplinary Regulations".

Repealing

Article 39. the "University Student Disciplinary Regulations" published in the Official Gazette dated April 13, 1974 and No. 14857 has been repealed.

PROVISIONAL ARTICLE 1. For actions committed before the effective date of this regulation warranting disciplinary action, the governing authority issues before is applied and shall be subject to the penalty.

Provisions relating to duration of the timeout for starting disciplinary prosecution stated in Article 34 of this Regulation cannot be applied to states of acts committed before the entry into force of this Regulation. However, processes regarding acts and states committed before the publication of this Regulation are finalized within two years from the date of publication.

Entry into Force

Article 40. This Regulation shall enter into force on the date of publication in the Official Gazette.

Execution

ARTICLE 41. This regulation is carried out by the Chairman of the Board of Higher Education.