



REPUBLIC OF TÜRKİYE  
YAŞAR UNIVERSITY

REGULATION ON STUDENT DISCIPLINE AT HIGHER EDUCATION INSTITUTIONS  
SECTION ONE

Objective, Scope, Basis and Definitions

**Objective and Scope**

**ARTICLE 1 – (1) The purpose of this regulation is to regulate the disciplinary penalties and investigation procedures and principles applied to students at higher education institutions.**

(2) This regulation applies to all students at higher education institutions.

**Basis**

**ARTICLE 2 – (1) This regulation has been prepared based on Article 54 and Article 65 paragraph (a) number (9) of Higher Education Law no. 2547 dated 4/11/1981.**

**Definitions**

**ARTICLE 3 – (1) The following terms used in this Regulation shall have the meanings expressly designated to them below:**

- Student: Those receiving associate, undergraduate, MA, PhD, specialty in medicine, or proficiency in arts education in higher education institutions.
- Reprimand: Informing the student in writing that he/she is being reprimanded for his/her misconduct as a student.
- Warning: Warning the student in writing that he/she should be more careful in terms of his/her behavior as a student.
- Higher Education Institutions: Universities and high technology institutes, as well as their faculties, institutes, colleges, conservatories, vocational schools, and research and development centers.
- Suspension from a higher education institution from one week to a month: Informing the student in writing that he/she is suspended from the higher education institution for one week to one month and may not attend courses or exams within this period.
- Suspension from a higher education institution for a semester: Informing the student in writing that he/she has been suspended from the higher education institution for one semester and may not benefit from student rights during this period.
- Dismissal from a higher education institution: Informing the student in writing that he/she has been dismissed from the higher education institution.
- Suspension from the higher education institution for two semesters: Informing the student in writing that he/she has been suspended from the higher education institution for two semesters and may not benefit from student rights during this period.

SECTION TWO

Disciplinary Measures and Conduct  
Warranting Disciplinary Measures

**Disciplinary offenses requiring a warning penalty**

**ARTICLE 4 – (1) Actions requiring a warning penalty are as follows:**

- Not answering questions asked by authorities of the higher education institution in time without a justified reason,
- Posting announcements in places other than those determined by the authorities of the higher education institution,
- Tearing, changing, or defiling announcements, programs, and similar documents posted with the permission of the higher education institution.

**Disciplinary offenses requiring a reprimand penalty**

**ARTICLE 5 – (1) Actions requiring a reprimand penalty are as follows:**

- Giving missing or incorrect information requested by the authorities of higher education institutions,
- Disrupting studies such as courses, seminars, applications, laboratories, workshops, scientific meetings and conferences,
- (Amendment: OG-7/11/2013-28814)2 Distributing leaflets, posters, or banners without the permission of the higher education institution,
- Tearing, changing, or defiling announcements, programs, etc. that have been posted by the higher education institution,
- Attempting to cheat during exams.

**Disciplinary offenses requiring suspension from the higher education institution for one week to one month**

**ARTICLE 6 – (1) Actions that require suspension from the higher education institution for one week to one month are as follows:**

- a) (**Amendment: OG-23/12/2016-29927**) Obstructing the freedom to learn or teach or disrupting the functioning and peace of higher education institutions,
- b) Disrupting the conduct of disciplinary investigations,
- c) Allowing someone else to use a document given to the student by the higher education institution providing that student with rights, or using a document belonging to someone else,
- ç) Committing verbal or written actions that damage the honor and dignity of individuals in the higher education institution,
- d) Committing verbal or written actions that damage the honor and dignity of personnel within or outside the higher education institution,
- e) Drinking alcoholic beverages in the higher education institution,
- f) Holding meetings in closed or open spaces of the higher education institution without obtaining permission from the authorities.

**Disciplinary offenses requiring suspension from the higher education for one semester**

**ARTICLE 7** – (1) Actions that require suspension from the higher education institution for one semester are as follows:

- a) Threatening the staff or students of higher education institutions,
- b) Preventing the work of staff in higher education institutions,
- c) Attacking the staff and students of the institution, ç) Committing theft in higher education institutions,
- d) Destroying buildings, furniture, fixtures, etc. of the higher education institution or damaging the information system,
- e) Cheating on exams or helping others cheat,
- f) Plagiarism in seminars, dissertations and publications,
- g) (**Addition: OG-23/12/2016-29927**) Not complying with the higher education's decision to suspend the student.

**Disciplinary offenses requiring suspension from the higher education for two semesters**

**ARTICLE 8** – (1) Actions that require suspension from the higher education institution for two semesters are as follows:

- a) Preventing the execution of services by using force and violence against staff,
- b) Preventing students from using higher education services by using force and violence,
- c) (**Amendment: OG-7/11/2013-28814**) *Committing acts deemed to be a crime (I)* or forcing a person or group to organize or participate in an action that is considered to be a crime through force or threat,
- ç) Using, carrying or keeping drugs or stimulants in higher education institutions,
- d) Cheating on exams by means of threatening others, preventing students who are cheating on exams from being removed from the exam room, having someone else take the exam in their place, or taking the exam in place of another,
- e) Committing sexual harassment in higher education institutions,
- f) Carrying and keeping firearms, bullets, knives, explosives and other weapons made for use in attack and defense in higher education institutions, in violation of Firearms, Knives and Other Weapons Law no. 6136 dated 10/7/1953,
- g) Accessing the information system of higher education institutions and providing an unfair advantage for him/herself or others,
- ğ) (**Addition: OG-23/12/2016-29927**) Threatening investigators.

**Disciplinary offenses requiring the penalty of dismissal from higher education institutions**

**ARTICLE 9** – (1) Actions that require dismissal from higher education institutions are as follows:

- a) Establishing an organization for the purpose of committing a crime, or managing, becoming a member, assisting, or acting on behalf of such an organization,
- b) Selling, buying, giving or trading drugs or stimulants in higher education institutions,
- c) Using firearms, bullets, knives, explosives or other tools designed for attack and defense, in violation of Firearms and Knives and Other Weapons Law no. 6136,
- ç) Committing sexual violations through sexual acts on a person's body.

**Unforeseen disciplinary offenses**

**ARTICLE 10** – (1) Apart from disciplinary offenses that require suspension or dismissal from higher education institutions, the same type of disciplinary action shall also be applied to those who perform actions that are similar in terms of their quality and weight.

**Repeat disciplinary offenses**

**ARTICLE 11** – (1) Repeat offenses of an action that resulted in disciplinary action shall result in one degree higher of punishment.

(2) If the disciplinary offense is a recurrent offense of a lesser level, the penalty of expulsion from the higher education institution cannot be given.

### **SECTION THREE Disciplinary Investigation**

**Supervisors authorized to open an investigation**

**ARTICLE 12** – (1) Supervisors authorized to open an investigation are as follows:

- a) The dean, for disciplinary offenses committed by faculty students,
- b) The director of the institute, for disciplinary offenses committed by institute students,
- c) The director, for disciplinary offenses committed by college or vocational school students,
- ç) The conservatory director for disciplinary offenses committed by conservatory students,
- d) (**This clause was annulled by the Eighth Chamber of the State Council with the decision dated 23/12/2020 with Docket No: 2019/6735 and Decision No: 2020/5892: University rectors, for collective student action in common spaces.**)

(2) (**Amendment: OG-23/12/2016-29927**) Supervisors authorized to initiate an investigation may conduct

the investigation themselves or have the investigator(s) appointed; if they deem necessary, they may request the appointment of an investigator from another higher education institution.

#### **Duration of investigation and prescription**

**ARTICLE 13** – (1) Disciplinary proceedings must be initiated immediately upon learning of an event. The investigation must be concluded within fifteen days from the date of approval. **(This clause was annulled by the Eighth Chamber of the State Council with the decision dated 9/5/2016 with Docket No: 2012/9483 and Decision No: 2016/4594; this decision was finalized by State Council's Plenary Session of Administrative Law Chambers with the ratification dated 19/4/2017 with Docket No: 2016/4019 and Decision No: 2017/1660.)**

(2) If the disciplinary investigation is not commenced by the supervisors authorized to initiate the investigation within the time periods given below, from the date on which students committed the disciplinary offense as defined in this regulation, the authority of disciplinary action expires within

- a) one month for punishments of warning, reprimand, and suspension for one week to one month,
- b) three months for punishments of suspension for one or two semesters and dismissal from the institute.

(3) In the event that no disciplinary action is taken within two years at the latest from the date that the acts requiring disciplinary action occur, the authority to issue disciplinary action is time-barred. **(This sentence was annulled by the Eighth Chamber of the State Council with the decision dated 23/12/2020 with Docket No: 2019/6735 and Decision No: 2020/5892: However, if the disciplinary supervisor or board require a judiciary decree, the time period begins when the judiciary decree is finalized. This need is determined by the decision of the authorized discipline advisor or board.)**

#### **Investigation procedures**

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

(2) The investigator may listen to witnesses, make investigations, and request the opinion of experts. Investigation procedures are recorded in an official report. The official report includes where and when the action was carried out, the nature of the action, who participated, and questions asked and answered if testimony was taken. When complete, the report is signed by the investigator, scribe, and person(s) who gave testimony. When testimony is taken, the witness and authority are sworn in, and the witness's identity, address and other information are specified.

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

(4) The investigator must limit the investigation to the persons and actions being investigated. An investigator who determines during the investigation that other disciplinary offenses have been committed or that other persons should be included in the investigation within the scope of the same offense must notify the relevant authority.

(5) Even if a student transfers within the institution or changes his or her institution after the disciplinary offense for any reason, this does not prevent the investigation from being opened or the necessary decisions from being made.

(6) **(Addition: OG-7/11/2013-28814)2** Investigators, if they deem it necessary, may request the relevant authority to open a disciplinary investigation to decide on the prohibition of students from entering the premises of the higher education institution during the investigation.

#### **Right to defense**

**ARTICLE 15** – (1) Students who are subject to disciplinary proceedings are informed in writing of the allegations related to the offense at least seven days before the days of their defense. In this document, the student is informed that he/she is required to be present to make his/her defense on the specified date, time and location.

(2) **(Amendment: OG-23/12/2016-29927)** The person making a defense may present his/her defense orally or in writing. After submitting a written defense, the investigator may ask the student additional questions.

(3) The summons letter sent to the student warns the student that failure to obey the summons without a valid excuse or failure to submit a valid excuse in a timely manner will result in the forfeiture of his/her right to a defense and as such the decision will be rendered based on other findings.

(4) In the event that the student submits a valid reason or should it be determined that the student could not obey the summons due to unavoidable reasons, the student may be granted a grace period. Incarcerated students must be informed that they can present their defense in writing.

(5) The investigation is conducted in such a way as to enable the student to defend him/herself as necessary.

#### **Investigation report**

**ARTICLE 16** – (1) A final report must be prepared upon the conclusion of the investigation. The report should summarize the approval for the investigation, the start date of investigation, the identification details of the defendant, the scope of the alleged offense, the phases of the investigation, the findings, and the defense of the defendant. The report should also discuss whether the defendant has been proven guilty as charged and, if so, should recommend the required disciplinary action. Originals and copies of all documents pertaining to the investigation must be attached to the report with a table of contents. The investigation report and file must be submitted to the competent authorities that initiated the investigation.

#### **Concurrent conduct of criminal and disciplinary proceedings**

**ARTICLE 17** – (1) The disciplinary investigation shall proceed without regard to the commencement of concurrent criminal proceedings involving the same student and incident. The disciplinary action is not subject to challenge on the grounds that criminal proceedings have been initiated against the student, or that the student has been convicted or released.

#### **Conclusion of the disciplinary investigation**

**ARTICLE 18** – (1) Disciplinary actions involving warnings, reprimands, and suspension from the higher education institution for one week to one month are imposed by the deans of the faculties and the directors of graduate schools, conservatories, schools, or vocational schools.

(2) **(This paragraph was annulled by the Eighth Chamber of the State Council with the decision dated 23/12/2020 with Docket No: 2019/6735 and Decision No: 2020/5892: In cases where disciplinary offenses were committed in common spaces, the warning, reprimand and suspension from the higher education**

*institution for up to one month is imposed by the Rector.)*

(3) The disciplinary actions of suspension from the higher education institution for a semester or two semesters are imposed by the authorized disciplinary board.

(4) The disciplinary board shall consist of the administrative board of the relevant faculty, graduate school, conservatory, school or vocational school if the disciplinary investigations are conducted by such institutions, **(this phrase was annulled by the Eighth Chamber of the State Council with the decision dated 23/12/2020 with Docket No: 2019/6735 and Decision No: 2020/5892: or of the University Administrative Board if the disciplinary investigations are conducted by the Rector's Office).**

(5) The **(this phrase was annulled by the Eighth Chamber of the State Council with the decision dated 23/12/2020 with Docket No: 2019/6735 and Decision No: 2020/5892: rector)**, dean, director or the disciplinary board investigating the file may ask the same investigator or a member of the disciplinary board to complete incomplete disciplinary proceedings, if applicable.

#### **Mode of operation of the disciplinary board**

**ARTICLE 19** – (1) The disciplinary board convenes upon the call of the Chair, on a specified date, at a specified time and place.

(2) The Chair ensures the preparation and announcement of the meeting agenda and effective management of board's activities.

(3) The quorum is the simple majority of the members of the administrative board serving as the disciplinary board.

#### **Spokesperson and deliberation**

**ARTICLE 20** –(1) The Chair appoints a member as the Spokesperson of the disciplinary board. The spokesperson must review the file to be submitted within two days and must present a report to the Chair.

(2) The board first hears the opinions of the spokesperson. The board, if deemed necessary, may also hear the opinions of the investigators. Upon the conclusion of the deliberations, the board conducts a vote, and the result of the voting is announced by the Chair.

#### **Voting and decision**

**ARTICLE 21** – (1) The Disciplinary Supervisor or Disciplinary Board has the right to accept or reject the disciplinary action recommended in the investigation report and may opt to impose a different disciplinary action by providing a justified reason.

(2) The Disciplinary Board may reach a decision with a simple majority of the members present in the meeting. In the event of a tie, the chair has the casting vote.

(3) In the event that the investigator is also a member of the disciplinary board, s/he may not attend the investigation meeting, nor cast a vote during it.

#### **Decision period**

**ARTICLE 22** – (1) In the case of disciplinary offenses requiring the disciplinary action of warning, reprimand and suspension from the higher education institution for one week to one month, Disciplinary Supervisors must reach a decision within ten days from the date the investigation is concluded.

(2) In the case of disciplinary offenses requiring more severe disciplinary actions, the file must be promptly submitted to the disciplinary board. The disciplinary board must reach a decision within ten days from the date the file is received.

#### **Important guidelines for imposing disciplinary actions**

**ARTICLE 23** – (1) Disciplinary actions to be imposed by Disciplinary Supervisors and Boards must be proportionate to the severity of the disciplinary offense, and must take into consideration the student's conduct, previous disciplinary record, and genuine remorse for his misconduct and violation.

## **SECTION FOUR Execution and appeal**

#### **Notification of disciplinary actions**

**ARTICLE 24** – (1) The Disciplinary Supervisor must notify the following parties of the disciplinary action imposed pursuant to the disciplinary investigation:

a) The student being investigated.

b) The organization or higher education institution awarding a scholarship or a loan to the student.

c) In the case of expulsion from the university, in addition to the aforementioned parties, all higher education institutions, the Higher Education Council of Turkey, the Student Selection and Placement Center (OSYM), and law enforcement authorities, and relevant military entrance processing stations are notified.

#### **Execution of disciplinary actions**

**ARTICLE 25** – (1) Unless the effective date of the disciplinary action is clearly specified in the decision rendered by the Disciplinary Supervisor or the Disciplinary Board, the disciplinary action takes effect on the date it is imposed.

#### **Appeals against disciplinary actions**

**ARTICLE 26** – (1) All disciplinary actions imposed by the Disciplinary Supervisor or the Disciplinary Board may be appealed to the University Administrative Board within fifteen days.

(2) In the event that a disciplinary action is appealed, the University Administrative Board, which is the competent authority handling appeals, renders the final decision about the appeal within fifteen days. The University Administrative Board reviews the disciplinary action as the competent authority of appeals, and either approves or rejects the imposed disciplinary action. In the case of rejection, the Disciplinary Supervisor or the Disciplinary Board reviews the reasons for rejection and reaches a final decision about the appeal.

(3) One may also apply to the administrative courts without exercising the right to appeal against the disciplinary actions that are determined according to this Regulation.

## **SECTION FIVE Miscellaneous and Final Provisions**

#### **Notifications and change of address**

**ARTICLE 27** – (1) All notifications pertaining to the disciplinary investigation are either handed to the recipient, obtaining the recipient's signature, or sent as a hard copy via mail to the mailing address the student

provided to the higher education institution, or sent to the email address where the recipient requested to receive notifications, or sent as a soft copy to a different email address specified by the student. Where it is not possible to send notifications via the aforementioned methods, the notice is deemed served when it is announced by the higher education institution.

(2) In cases where students have changed the address they provided to the higher education institution at the time of enrollment, but failed to report their change of address to the higher education institution, or in case they provided an inaccurate or incomplete address, the notices sent to such students' addresses are deemed to have been served.

#### **File submission**

**ARTICLE 28** – (1) All files pertaining to the disciplinary investigation must be delivered and received together with a table of contents. The table of contents must also bear the signatures of the deliverer and the recipient.

#### **Mode of correspondence**

**ARTICLE 29** – (1) Notwithstanding the mode of correspondence specified in Article 28, all correspondence between the parties is subject to the provisions of Notifications Law no: 7201.

(2) In the event that correspondence is delivered in person, the signed receipt must be kept in the file.

#### **Ongoing disciplinary investigations**

**PROVISIONAL ARTICLE 1** – (1) The provisions of this Regulation apply to ongoing disciplinary investigations which were initiated but have not been concluded on the date this Regulation takes effect.

#### **Ongoing disciplinary investigations**

#### **PROVISIONAL ARTICLE 2 – (Addition: OG-23/12/2016-29927)**

(1) In the case of ongoing disciplinary investigations which were initiated but have not been concluded before the effective date of this article, the provision of the amended paragraph of Article 15 applies as it did before such amendment.

#### **Repealed Regulation**

**ARTICLE 30** – (1) The Regulation on Student Disciplines at Higher Education Institutions published in the Official Gazette no: 18634 on 13/1/1985 has been repealed.

#### **Validity**

**ARTICLE 31** – (1) This Regulation shall be effective as of the issue date.

#### **Execution**

**ARTICLE 32** – (1) The provisions of this Regulation are executed by the President of the Higher Education Council.

<sup>1</sup> The execution of the phrase “Committing acts deemed to be a crime” in Article 8.1 (c) was suspended by State Council's Plenary Session of Administrative Law Chambers with the decision dated 3/11/2014 with Suspension Appeal No: 2014/843. Later, the phrase “Committing acts deemed to be a crime” in Article 8.1 (c) was annulled by the Eighth Chamber of the State Council with the decision dated 29/11/2018 with Docket No: 2013/11920 and Decision No: 2018/7538.

<sup>2</sup> The enforcement of these amendments was suspended by the Eighth Chamber of the State Council with the decision dated 30/4/2014 with Docket No: 2013/11920. Later, the appeal made against this Decision was rejected by State Council's Plenary Session of Administrative Law Chambers with the decision dated 3/11/2014 with Suspension Appeal No: 2014/843.

<b>Regulation is issued in the Official Gazette</b>		
	<b>Dated</b>	<b>Numbered</b>
	18/8/2012	28388
<b>Regulations Amending the Regulation are issued in the Official Gazettes</b>		
	<b>Dated</b>	<b>Numbered</b>
1.	7/11/2013	28814
2.	23/12/2016	29927
3.		