

University of Kyrenia
Student Disciplinary Regulations

First Part

General Provisions

Purpose

Article 1:

This ordinance is issued in accordance with the requirements of TRNC Ministry of National Education and Culture, YODAK (Higher Education Institution Evaluation and Accreditation Institution) to determine the disciplinary procedures and regulations to be carried out against students who do not obey the code of conduct, commit to acts considered to be a criminal act in disciplinary terms, behave against social and moral values, commit behaviours which are against requirements of studentship, fail to comply with the terms, conditions, requirements and responsibilities of the educational status and regulations.

Scope

Article 2:

In this ordinance, the disciplinary offenses may be committed by students studying at a higher education institution, disciplinary penalties, the disciplinary authority in charge of executing penalties, the disciplinary committee and the procedures of disciplinary investigation, how to raise objection against the disciplinary penalties, procedures and basics of executing the disciplinary penalties are specified.

Legal Provision

Article 3:

Regulations and guidelines of TRNC Ministry of National Education and Culture and/or YODAK constitute legal basis for this ordinance.

Definitions

Article 4:

In this regulation; Higher Education Institutions refers to: Universities, Faculties, Institutes, Academy, Vocational Schools, Practice and Research Centers.

University refers to: University of Kyrenia,

Student refers to: Associate, Undergraduate, Postgraduate, and Doctoral students of University of Kyrenia.

Expulsion from the university: This refers to the prohibition of a student from entering the premises, gardens and facilities of University of Kyrenia within a specified period.

Second Part

Disciplinary Penalties and Offenses

Disciplinary Penalties

Article 5:

Disciplinary penalties are:

- a) Warning: Students are warned in writing about their behaviours and are required to be more careful in their behaviours and attitudes.
- b) Reprimand: Students are warned in writing that their behaviours have been considered to be defective.
- c) Suspension from the University for one week up to one month: Student is notified in writing that he/she is expelled from the institution and his/her rights to benefit from the institution are suspended during the time of suspension .
- d) Suspension from the University for one or two terms: Student is notified in writing that he/she is expelled from the educational institution for one or two academic terms, and he/she cannot benefit from the services and facilities of the institution during the period of suspension.
- e) Permanent expulsion from the University : Student is notified in writing that he/she is expelled from the institution on a permanent basis.

Disciplinary offenses requiring warning

Article 6:

Acts and behaviours requiring warning are as follows:

- a) Indecent behaviours and acts that are inconvenient for studentship.
- b) Being rude and disrespectful towards others, annoying others by shouting, singing, playing music, making noise, harming the environment.
- c) Not providing the authorities with a timely response as required.
- d) Occupying seats reserved for academic staff or guests in meetings, ceremonies and conferences.

Disciplinary offenses requiring condemnation

Article 7:

Acts and behaviours requiring condemnation are as follows:

- a) Acting and behaving in such a way that is inappropriate for the educational principles and discredit the nature of studentship,
- b) Writing or painting on the walls or other properties of the University,
- c) Misinforming or misleading the authorities of the University about the issue that is subject to investigation or not providing the necessary information,
- d) Hanging posters on places that are not determined by the authorities of the University,
- e) Disrupting the order of courses, lectures, seminars, practice studies, conferences, and lab studies,
- f) Attending drunk to facilities such as lessons, lectures, seminars, conferences that are organized in the higher education institution,
- g) Gambling or making others gamble.

Offenses requiring expulsion from the University between one week and a month

Article 8:

Offensive acts and behaviours requiring expulsion from the University are as follows:

- a) Restricting or disturbing the freedom of learning and teaching directly or indirectly; disrupting peace and the working order or study order at the university,
- b) Behaving in violation of the order of ceremonies, disrupting the program of ceremonies,
- c) Creating an obstacle in the progress of disciplinary procedure
- d) Carrying out political activities in the University,
- e) To give someone else the document that is issued under his/ her name or to use a document belonging to someone else .
- f) Writing, painting, or attaching immoral writings, pictures, posters on the walls, doors, and other places, handing out manifestos or bulletins, hanging posters or banners without taking necessary permissions,
- g)) Making changes, cutting or crossing out information on posters and announcements hung up by the authorities of the University.
- h) Attempting to cheat in the exams or helping others to cheat.

Offenses requiring expulsion for one or two terms

Article 9:

Acts and behaviours requiring one or two terms expulsion or suspension from the university are as follows:

- a) Threatening a member of the academic staff, general staff and administrative staff of the University, humiliating or insulting them verbally, in a written form or any other form,
- b) Individually or collectively delivering speech, making publications, provoking students in aggressive forms against the members of the University, and carrying out acts in such ways against the institution and its members,
- c) Attempting to carry out acts such as boycott, invasion, occupation, or blocking that can block services and teaching facilities of the institution,
- d) Carrying out activities that can cause to discrimination of language, race, color, religion, and sex,
- e) Physically attacking the staff members or students of the institutions
- f) Damaging properties of the University, writing ideological or political slogans, painting and hanging pictures on the walls for ideological or political purposes,
- g) Consuming alcoholic drinks and beverages in the premises of the University ,
- h) Provoking students and other people to carry out acts to prevent and bring the services of the higher education institution to a standstill,
- i) Without taking necessary permissions, organizing or participating in meetings, or delivering speech, attending the meetings, ceremonies or conferences without having the authority to act on behalf of the students,
- j) To disobey the decision of not entering the university premises or to enter the buildings which are closed by the authorized institutions, to cause damage and to demolish.
- k) To distribute unauthorized papers at the university or hanging up posters banners.
- l) Cheating by threatening others, attempting to stop staff from taking out the students who cheat, having someone else to take the exam for himself/herself, or taking the exam on behalf of others,

Offenses requiring permanent expelling from the higher education

Article 10:

Acts and behaviours requiring permanent exclusion from the University are as follows:

- a) Using physical force and violence to take out staff members and students out of the institution, forcing other students to perform the same type of behaviour and obstructing staff members to carry out their tasks.
- b) Disrupting the peace and working order for ideological and political purposes, or participating in actions such as boycott, prevention or slowing down the work.
- c) Carrying out verbal or written propaganda for political or ideological purposes, hanging posters, pictures, illustrations, articles in possession for political or ideological purposes, and using, reproducing, exposing or advertising them in the University premises,
- d) Threatening a person or a group to participate in an offensive act or forcing someone to make a false statement or forcing someone to take the blame,
- e) Being a member of outlaw organizations, acting on behalf of such organizations, or helping to such organizations,
- f) Using, keeping or selling drugs, and not accepting treatment or rehabilitation.
- g) Having been penalized as a result of crimes committed against the state,
- h) Carrying firearms and other instruments that are designed to be used in defense such as blades, knives and explosives, to possess such instruments within the university, or to be convicted of these crimes,
- i) Establishing publicized or hidden foundations or associations in the premises of the university without obtaining necessary permissions from the higher education institution,
- j) Cheating by threatening others, attempting to stop staff from taking out the students who cheat, having someone else to take the exam for himself/herself, or taking the exam on behalf of others,
- k) Attempting to obstruct disciplinary proceeding carried out by disciplinary committee or persons in charge by threatening or forcing them,
- l) Attempting to rape,
- m) Hosting or helping to hide convicts who are chased after by the security forces of state, obstructing students from entering classes, taking courses, entering to exams, or obstructing administration of examinations or execution of courses, forcing students to leave the classes, or provoking students to leave the classrooms or abandon courses,
- n) To disturb the peace during national ceremonies or not to show the necessary respect during the ceremony.
- o) Regardless the form and reason, attempting to torture someone or getting someone tortured.

Unforeseen Disciplinary Offenses

Article 11:

Anyone who commits offenses or acts similar to those mentioned above is subject to the same disciplinary procedures and penalties mentioned above.

Repetition of Disciplinary Offenses

Article 12:

In case of repetition of actions which require disciplinary punishment, a severe penalty will be put into force. If another action requiring equal disciplinary punishment is repeated for the third time, a severe punishment will be given.

Third Part

Disciplinary Investigation and authorities in charge of investigation

Article 13:

People in charge of carrying out disciplinary procedures:

- a) The Rectors of the universities, in terms of student events taking place in common areas or spaces,
- b) The Dean is in charge of carrying out disciplinary investigation for offenses committed by faculty students,
- c) The Director of the Institute is in charge of carrying out disciplinary investigation for offenses committed by institute students,
- d) The Director of Academy is in charge of carrying out disciplinary investigations for offenses committed by students in the academy school,
- e) The Director of the Conservatory is in charge of carrying out disciplinary investigations committed by the conservatory students.
- f) The Director of the Vocational School is in charge of carrying out disciplinary investigations committed by the vocational school students.

Supervisors authorized to carry out an investigation may either conduct the investigation in person or they may appoint investigators. For continuous student actions, activities, examinations and investigations will be formed under the presidency of the rector or the vice-rector, to be appointed by the rector; consisting of the academic staff from the faculty, institute, academy, conservatory, and vocational school. This committee presents a report of the reasons for the occurrence of student incidents and measures to be taken for the prevention.

As a result of the investigation, if the students are found guilty, an offer will be made to the disciplinary committee for an exclusion, reprimand, one to two month exclusion from the higher education institution or an exclusion for one or two semesters.

Investigation Period

Article 14:

Disciplinary investigation starts on the first working day after the incident has been learnt. In the case that the investigation is carried out by appointing investigators, the decision of investigation is delivered to investigators. Investigation is concluded within 15 days at the latest, after its starting date.

The disciplinary investigation begins within 7 days of the incident. The investigation decision; If the investigator is appointed, shall be notified to the investigator without delay. The investigation is concluded within 1 month from the date of approval.

In case the investigation is not completed within this period, the investigator asks for additional time. The disciplinary officer who orders the investigation can extend the investigation period by a maximum of one month if appropriate.

Execution methods of investigation

Article 15:

Investigator interviews witnesses and can carry out inspection and interview or ask opinion of experts. Each stage of the investigation is recorded. The record includes the details of proceedings stating where, when, how, and with whom the proceedings have been carried out, how the procedures and steps have been taken, and answers to questions, and the file or record is signed by the reporter who writes down the details, other interviewer and interviewees, and witnesses. The identification details of the witness are clearly stated including personal details and address. The witness is asked to oath in accordance with the regulations and the method of oathing is stated in the report.

All staff of the university are obliged to provide all sort of information, files and other documents and help without causing any delays.

Defense Rights

Article 16:

a) Student, who is subject to disciplinary proceedings, is informed in writing about the nature of the offense at least 3 days prior to the date he/she is expected to be interviewed for his/her defence. In this letter of notification, inviting for defence, the student is required to be available at the time and place to proceed his/her defence. If it is not possible to notify the student, the notification stating that the student has to see the investigator in charge of the investigation is announced in writing in certain parts of the educational institution.

b) In the letter of invitation for defence it is stated that if the student does not respond to the invitation without pointing out an excuse, or does not put forth his/her excuse in time, he/she will be considered as if he/she has resigned from his/her right to defend himself/herself, a decision will be produced about his/her offence by evaluating the available evidence.

c) Student who points out a valid excuse for not attending to the invitation or if the student has a valid reason not to respond to the invitation, the student is given another time or is asked to submit his/her defence in writing within a specified period of time. If students are arrested, they are informed that their defence in writing is acceptable and they can submit their defence to the investigation committee.

d) In all kinds of notification works; the provisions of Articles 35 and 37 of this regulation shall apply.

e) Investigation is carried out in such a way that the student is allowed to defend himself/herself. However, the period of investigation is not allowed to be extended for defence reasons.

Investigation Report

Article 17:

A report is issued when the investigation is concluded. In the report, the approval of the investigation, the date of investigation, the identity of person who is subject to investigation, the offensive issues, the phases of the investigation, the evidences, and the defence received are summarized. Each of the offensive issue is analysed separately and discussed if it is to be accepted as an offence in accordance with the evidences, and the disciplinary punishment to be applied is offered. The type of disciplinary penalty according to the nature of offense is proposed. If available, originals or copies of documents are attached to the report. The investigation report is forwarded to the authority who started the investigation.

Precautions during the Investigation Period

Article 18:

Investigation officers, if necessary, may request the decision of the authorities required for the investigation in order to prevent or ban the entry of students subject to investigation into the premises or properties of the higher education institution. The decision of the authority is put into force.

The fact that the Student has changed his/her position within the university, or has changed their higher education institution or leaving the institution for any reason does not obstruct the process of starting and carrying out an investigation, and taking necessary decisions.

Execution of criminal prosecution and disciplinary prosecution together

Article 19:

Starting a criminal prosecution as a result of the same incident does not cause a delay in starting the disciplinary proceedings.

The court decision on the defendant is not an obstacle to the implementation of the disciplinary punishment.

Conclusion of the investigation

Article 20:

- a) The investigation report and file is reviewed by the deans of faculties or directors of the institutes, conservatories, academy and vocational schools, and the investigation is directly concluded or forwarded to the authorized disciplinary committee immediately. Disciplinary Committee gathers within thirty days at the latest and reviews the file and report.
- b) The deans, directors, or the discipline committee who reviews the file, if they believe that something is missing or incomplete, and considers that the completion of these issues are necessary, they can ask for the completion of the missing or incomplete details by the same investigator or by a member of the disciplinary committee.
- c) The disciplinary penalty is applied from the date on which the decision of the disciplinary board is notified to the student.

Officers and committees authorized to execute disciplinary punishments

Article 21:

Disciplinary penalties;

a) Warning, condemnation and penalties for suspension/exclusion from the university to one month is directly given from the faculty dean and director of the institute, conservatory, academy or vocational school.

b) The exclusion for one or two semesters from the higher education institution is given from the disciplinary committee.

The Board of Directors of the University, Faculty, Institute, Conservatory, Academy and Vocational School also serve as the disciplinary committee of their own institutions.

Assembly of Disciplinary Board

Article 22:

The Disciplinary Committee shall meet at the place, day and time determined upon the call of the chairman.

Arrangement of Board's proceedings

Article 23 –

Preparation of meeting agenda, announcement to those concerned, execution of proceedings of Board on regular and orderly basis are provided by the chairman.

Majority required for assembling meeting

Article 24:

The majority required for holding a meeting of the Disciplinary Board is the number of members more than half of the total number of the Board members.

Rapporteur

Article 25:

Task of the rapporteur is carried out by the member appointed by the president. The rapporteur member completes the review of file and preparation of report the latest within two days and presents the report to the president.

Interviewing Procedure

Article 26:

At the meeting of Board, after listening to the presentation of the rapporteur, the issue is reviewed. If considered necessary by the Board, the Board may listen to the investigators. If it is believed that the issue is cleared and enlightened, voting procedure is carried out about the decision, and the decision is announced by the chairman.

Voting

Article 27:

Each member of the Board is responsible to vote . Noncommittal vote is not accepted. In the case that votes are equal in number for acceptance and rejection, the side of votes supported by the president is considered to be majority. Summary of decision is decided through a report signed by the members.

Decision

Article 28:

The Disciplinary Board or the authorized person to execute the disciplinary punishment is free to accept or reject the mode of punishment proposed in the report of investigation, and can put another disciplinary punishment into force providing that the reasons for this application are explained.

Decision Time

Article 29:

Officers authorized to execute disciplinary punishments must execute the punishments requiring warning, reprimand, or expulsion from one week to one month within 5 days after to the completion of the investigation. In cases where other disciplinary penalties are required, the file is immediately forwarded to the Disciplinary Board. The Disciplinary Board must decide within ten days at the latest prior to receiving the file.

Matters to be considered when issuing disciplinary punishment

Article 30:

a) Officers and Disciplinary Board authorized to execute disciplinary punishment takes into consideration the severity of offense, the aim of convict student in committing crime, whether the student have been convicted or penalized before, whether the student regrets the results of his/her offense, behaviours and attitudes of the student, while deciding on the mode of punishment.

b) In a case that the student has committed crime with students from other universities, the weight of punishment to be issued for this student is increased one level up.

c) In a case that offenses committed collectively by students and specific offenses committed by each individual students were not identified, each student forming the group is punished according to the decision of the officer in charge of investigation, or of the Board.

Fourth Part

Enforcement and appeal

Notification of punishment

Article 31:

At the end of the disciplinary investigation, the following institutions and people are informed about the decision by the authorized officer who is in charge of the investigation:

- a) Student who is subject to disciplinary investigation,
- b) Parents of the student, in case they are not reachable, the closest relative identified by the student,
- c) Private firms or state institutions that awarded the student with a scholarship or loan,
- d) To the council of higher education

In case the student is subject to a disciplinary punishment requiring permanent expulsion, the following institutions and organizations are also notified:

- 1 – To all higher education institutions in TRNC,
- 2 – To the Police Department
- 3 – To the Military Affairs Office
- 4 – To the Embassy of the student's nationality.

Disciplinary penalties; if necessary, it can also be notified in the relevant higher education institution or its related organizations by announcement.

Enforcement

Article 32:

Disciplinary penalties are put into force and executed starting from the date it has been issued.

Appealing period and judicial procedures

Article 33:

Penalties given by disciplinary officers and Disciplinary Board, requiring expulsion from one week to one month, or two terms cannot be appealed at a higher level administrative body. However, judicial appeal can be carried out against these penalties.

The student is given 15 days to reject the decision of permanent expulsion from the higher institution given by the disciplinary board.

In case of objection, the board of management of the university, re-examines the decision and makes a decision to whether accept or reject the given disciplinary punishment.

In case of rejection, the disciplinary board or disciplinary supervisor makes a final decision by taking into account the reason of rejection.

The student may apply to the administrative court against the decisions taken by the university board.

Time out

Article 34

From the date when the authority is informed about the students who committed the disciplinary offenses in this regulation;

a) Warning, condemnation, exclusion from one week to one month from the higher education institution within one month,

b) If the disciplinary proceedings are not started within six months of dismissal from the University for one or two semesters from the University, the disciplinary penalty shall be expired.

Unless a disciplinary punishment is imposed within two years from the date on which the acts and circumstances requiring disciplinary action have been committed, the authority to impose penalties expires. However, when the discipline supervisor or board needs a judicial judgment; this time-out period begins from the day on which the judicial judiciary is finalized. The aforementioned need is determined by a decision of the competent discipline supervisor or the board.

Fifth Part

Miscellaneous Provisions

Notification and Address Report

Article 35:

a) All sort of notification is considered to be completed after the written decision is delivered to the address that the student has submitted to the higher education institution at the time of registration, and by announcing the decision in writing at the higher education institution through notification documents.

b) Students who did not inform the university about address changes, who falsifies the permanent accommodation details, cannot claim that the notification is incomplete once the notification is sent to the students' address at the university.

Submitting investigation files

Article 36:

Disciplinary investigation files are submitted and taken in with a list of detail contents. The person who hands out and hands in the files sign the documents of delivery.

Correspondence form

Article 37:

Correspondence carried out through recorded delivery. In the case that the document is handed in directly to the person, a signature of the recipient is obtained and the signed document is enclosed in the disciplinary field.

Prohibitions

Article 38:

Confidentiality is essential at every stage of the investigation. Administrative action is taken on those who do not comply.

Enforcement

Article 39:

This regulation entered into force on the 2nd of August 2014.

Enforcement**Article 40:**

This regulation is carried out by the University of Kyrenia Rectorate.

Temporary Matter

The students of University of Kyrenia are also subject to the provisions of Near East University regulations during the use of our sister universitys physical facilities.