

**GIRNE AMERICAN UNIVERSITY
REGULATIONS FOR STUDENT DISCIPLINE**

- Goal** 1. This regulation is prepared to point out the disciplinary punishments according to the order and organization to those students who do not fulfill the duties which the law, directives, rules and regulations impose to students inside and outside the Girne American University, do forbidden things or do incompatible things in terms of student attribute, honorableness and honor.
- Scope** 2. The disciplinary offences, disciplinary punishments and the disciplinary superiors who are in charge of giving the punishments, disciplinary rules and disciplinary investigation, the objection to disciplinary punishments and the methods to apply these punishments to students, who study at Girne American University are stated in this regulation.
- Judicial Base** 3. According to the rule 65-2005, in accordance with the 3rd article of the Protocol on Cooperation in Higher Education's Article 25, which was signed between TR Council of Higher Education and TRNC Ministry of Education, Culture, Youth and Sports on 26.5.1998, constitutes the judicial base of this regulation.
- Definitions** 4. In this regulation;
Council of Higher Education: University, Faculties, Institutes, Schools, Foundation English School and Practice and Research Center,
University: Girne American University,
Student: Those people studying at the Foundation School, Associate, Undergraduate, Postgraduate programs and the other people benefiting from the student rights of the Girne American University,
Sending away from the University: Means that the student cannot enter to the campus, garden, dormitory and the other additional facilities of Girne American University, during the specified time period.
- Disciplinary Punishments** 5. **Disciplinary punishments are as follows:**
(a) **Warning:** Is a written document, which indicates that the student must be more careful in terms of his behaviors and missions.
(b) **Reprimand:** Is to inform the student with a written document that s/he is considered to be defective in terms of his behaviors and missions.
(c) **Sending away from one week to one month from the university:** Is to inform the student with a written document that s/he is sent away from Girne American University from

one week to one month and s/he cannot benefit from the student rights during this time period.

- (d) **Sending away from the university for one or two semesters:** Is to inform the student with a written document that s/he is sent away from Girne American University for one or two semesters and s/he cannot benefit from the student rights during this time period.
- (e) **Expulsion from the university:** Is to inform the student with a written document that s/he is extracted from being a student and can never study at any higher education institutions any more.

**Offenses
Punishable by
Disciplinary
Warning**

- 6. **Actions and cases punishable by warning are as follows:**
 - (a) Inappropriate attitudes and behaviors that the capacity of student requires
 - (b) Being rude and disrespectful, shouting loudly to disturb the others, singing, playing with an instrument, making noise, polluting the environment.
 - (c) Not answering the cases immediately that are asked by the competent authorities.
 - (d) Occupying the seats which are allocated for the teaching staff and guests at meetings and ceremonies.
 - (e) Smoking at the closed areas where it is prohibited.

**Disciplinary
Offences
Punishable by
Reprimand**

- 7. **Actions and circumstances punishable by reprimand are as follows:**
 - (a) To behave in a way that damages the sense of dignity and trust of being a student.
 - (b) To draw a picture, a symbol or to write something on the walls and equipments in the university.
 - (c) To give missing, wrong or no information to the university personnel.
 - (d) To hang posters to some places which are not determined by the authorities of the university.
 - (e) To break the system of a lesson, seminar, practice, laboratory, studio, workshop and conference.
 - (f) To attend a seminar, lesson, conference and practice facilities at the University under the effect of alcohol.
 - (g) To open the electrical box with no authority and touching the fuses.
 - (h) To play with a ball or something related with that at the closed areas of the university and to spatter the walls.
 - (i) To write something or to draw pictures to the elevator, to break down the elevator, and to push the elevator in danger.
 - (j) The equipments, walls, doors and windows, toilets, elevators, and electrical boxes. If any person causes damage to these properties, that person will have to pay for the damage.

Disciplinary Offences Punishable by Sending Away From One Week To One Month From The University

- 8. Disciplinary Offences Punishable by Sending Away From One Week To One Month From Girne American University are as follows:**
- (a) Restricting the freedom of learning and teaching by direct or indirect ways; behaving in order to disrupt the peace and working environment.
 - (b) Making disruptive behaviors at ceremonies, which damage the system and program of the ceremony.
 - (c) Taking place in political activities inside the University.
 - (d) Occupying the seats reserved for the teaching staff or guests at meetings and ceremonies.
 - (e) Obstructing the management of the disciplinary prosecutions.
 - (f) Drawing or sticking pictures, writing immoral notes to the equipments, doors, walls and some other places which belong to Girne American University.
 - (g) Putting down the announcements and programs, which are hung by the authorities of Girne American University, or cutting, changing, crossing out some information.
 - (h) The equipments, walls, doors and windows, toilets, elevators, and electrical boxes. If any person causes damage to these properties, that person will have to pay for the damage.
 - (i) Gambling or leading someone to gamble.
 - (j) Cheating.

Disciplinary Offences Punishable by Sending Away From The University For One or Two Semesters

- 9. Disciplinary offences sending away from the university for one or two semesters from Girne American University are as follows:**
- (a) To threaten university authorities, teaching staff and other personnel, and orally or written attack their honor and personality.
 - (b) To speak in an aggressive manner, as a group or alone, towards the personality or the decisions of the university authorities, to agitate students against them, to make publications or to attempt to do things like these.
 - (c) To behave in a way of hindering the duties of the university or to attempt to protest boycott, occupancy, obstruction, except political and ideological purposes.
 - (d) To take part in dividing people according to their language, nationality, color, religion and denomination.
 - (e) Assaulting to the personnel and students.
 - (f) To write political or ideological notes, emblems, paintings to the equipments, doors, walls and other places.
 - (g) To steal something.
 - (h) To irritate the students or others to a protest that hinders the facilities of the university.
 - (i) To make or attend meetings in closed or open areas, which belong to the university, or to attend these kinds of meetings,

to pretend and attend the meetings as a student representative, even not having the right to represent the students.

- (j) To disobey the decision of not entering the university buildings or to enter the buildings which are closed by the authorized institutions, to damage and to demolish.
- (k) To keep, copy and distribute every kind of publications which are prohibited to take place in the university.
- (l) To drink alcohol at the university or at the places which are connected to the university.
- (m) Cheating.
- (n) To commit forgery towards all kinds of official documents of the university.

**Offences
Punishable by
Expulsion From
The University**

10. Disciplinary offences expulsion from Girne American University are as follows:

- (a) To force students go out the institution by forcing, to hinder working or to force students these kinds of behaviors.
- (b) To break the peace and the working system because of the ideological and political purposes or to join protests in terms of boycott, occupancy, obstruction and slowing down the work of the personnel and to irritate protests that have the same objectives at Girne American University or other educational institutions.
- (c) To keep, copy and distribute political and ideological notifications, posters, video bands and similar things or to write, paint, display them to the institutional buildings or the equipments inside the buildings, to make written or oral ideological propagandas at Girne American University or other educational institutions.
- (d) To threaten someone or a group to organize a protest which is considered as a crime or to force someone to attend such a protest or to make false statements or to show false evidences, to undertake an offense.
- (e) Being a member of illegal organizations, carrying out activities for these organizations or helping them.
- (f) To use, carry, keep and sell drugs.
- (g) Getting punished because of committing into a crime towards the government.
- (h) To carry, keep firearms, bullets and knives, and the other tools in the higher education institutions, which are privately produced for the usage of attacking and defending, or to be sentenced because of contravening the law about "firearms, knives and other tools".
- (i) To organize open or hidden associations at the university buildings without taking any permission.

- (j) To cheat, to prevent the expulsion of the students who cheated, to put someone in his own exam or to take the exam instead of someone else.
- (k) Concerns regarding disciplinary prosecutions or using force or prevent by threatening the work of the disciplinary committee.
- (l) Indecent Assault.
- (m) To hide or shelter people who are sought by security forces.
- (n) To prevent lessons and examinations taking place or to prevent students from attending classes or examinations, to force students out of the classroom, to provoke them or to display compulsive behavior.
- (o) To steal questions, to purchase questions or to attempt purchasing questions.
- (p) To defraud any formal document belonging to the university that will constitute a criminal act/forensic crime.
- (q) To torture or to incite or to encourage to have tortured a person or group of persons for whatever reason.
- (r) To display an obstructive attitude and behavior during the flag-raising ceremony or not showing respect deliberately.

Criminal Activities

11. If any student is to be/being investigated about an inquiry due to a criminal act, in order for that accused student to be able to continue education until the judgment of court, the university administrative board can decide to 'periodically suspend' the student until the judgment of court according to the general layout of the university and the disciplinary committee.

Unprecedented Disciplinary Punishments

12. The same kind of disciplinary punishment, as stated above, is given to students who present similar actions and situations.

Repetition of disciplinary action

13. A higher degree of punishment is imposed for the repetition of any action or situation that has received disciplinary punishment during studentship. A higher degree of punishment is also given in the third imposition of a disciplinary punishment due to different actions and situations.

Authorized Chiefs for Investigation

14. Chiefs who are authorized to carry out discipline investigations are:
- (a) The University Rector regarding student issues that are cumulative, show continuity and/or common in areas or sites.
 - (b) Dean of the Faculty regarding disciplinary actions committed by faculty students.
 - (c) The Graduate School Director regarding disciplinary actions committed by graduate school students. The Director of Vocational School regarding disciplinary actions committed by vocational school students.

Chiefs authorized for the investigation, can investigate in person as well as instigate investigation by appointing an investigator or investigators.

Under the leadership of the Rector or the Vice-Rector regarding student actions that are cumulative or show continuity, an examination and investigation commission is constituted consisting of faculty, graduate school, vocational school and if available conservatory instructors. The number of members is determined according to the scope and nature of the incident.

This commission presents a report to the Rector recommending precautions necessary to be taken in order to prevent repetition and to endeavor to eliminate the reasons responsible for the incidents that have taken place. Furthermore, for students who are determined to be guilty as a result of the investigation, a proposal is made to the authorized disciplinary Chief to give notice, condemnation and suspension between one week and one month from the higher education institutions. For the suspension of one or two semesters from the higher education institution and expelling punishments from the higher education institution, proposes are made to the University Disciplinary Committee.

Duration of Investigation

15. To learn about the incident, the discipline investigation begins from the subsequent first workday.

If the investigation is done with the appointment of an investigator, the investigator is informed about the decision of the investigation without delay. The investigation is concluded in fifteen days latest from the approval date.

If the investigation hasn't ended during this period, the investigator demands additional time as excused. If the disciplinary chief who orders the investigation gives approval, the duration of the investigation can be extended.

Method of Investigation

16. As the investigator can listen to witnesses, detect and consult an expert, the investigator can also have these done by forming a commission when necessary. Each investigation process is established with a record. The record is arranged according to when and where the process took place, the nature of the process, the people who attended and if statements have been taken, questions and answers are stated clearly. The investigator has the record signed by the court clerk and the person who deposes or the people who appeared in detection or document curators. At the mandate of the commission, the witness's identification, address and similar information is clearly stated. The witness is made to swear an oath and the oath's form is noted down.

All of Girne American University's staff are obliged to give the investigators all kinds of information, folders and other documents without delaying. They are also obliged to fulfill assistance required from them.

The Right for Self-defense

17. (a) The student who is inquired for the disciplinary investigation is informed in writing about what his/her offense consists of at least three days before the date of his defense. In this writing, the student is required to be prepared for self defense on the specified day, time and place. When conditions aren't suitable for notification, the case of the student consulting the investigator for self defense is publicized in particular areas of the relevant institution.
- (b) The notification sent to the student; if the student disobeys the appeal even if unwarrantable or if he doesn't notify his excuse in time, the student will be assumed as giving up his/her defense. Therefore a required decision will be given based on the other evidence.
- (c) If an acceptable excuse is notified or if it's obvious that the student couldn't fulfill the summons due to a compelling reason, the student is given a reasonable duration again or is asked to write his defense in a stated time period. It is announced to imprisoned students that they can send their defenses in writing.
- Investigation: It is carried out enabling the student to defend himself/herself as necessary. However, an extension of the investigation is not enabled due to a defense excuse.

Investigation Report

18. A report is prepared when the investigation is finished. In the report; the approval of the investigation, the start date of the investigation, identification of the person investigated, crime issues, phrases of the investigation, evidence, the collected defense are summarized. Each crime item is analyzed separately, discussed whether or not the crime is fixed according to the evidence and the disciplinary punishment that will be implemented is proposed. The investigation report and file is submitted to the competent authority who instituted the investigation.

Precautions during Investigation

19. Investigators; if seen mandatory during the investigation, could claim the decision to forbid defendant students to enter Girne American University buildings and could claim the disciplinary investigation to take place by the authorized competent authority. The authorized competent authority's decision is implemented. After the student has committed a crime, changing the place in Girne American University or leaving Girne American University, doesn't prevent the inquiry of an investigation, it's continuation and the necessary decision to be made.

- To carry out Crime Prosecution and Disciplinary Prosecution together**
20. Disciplinary prosecution isn't delayed if crime prosecution has proceeded due to the same incident. The suspect; the implementation of disciplinary punishment isn't prevented even if the student is imprisoned or not according to the criminal code. However, when crimes are transferred to the judiciary, the judgment of the court could wait and this duration cannot be included in the prescription of item 34.
- Conclusion of the Investigation**
21. (a) The investigation report and file is analyzed by the dean in faculties, and the director in graduate and vocational schools. The investigation report and file is either directly concluded or is immediately given to the authorized disciplinary commission. The disciplinary commission gathers in at least three days and proceeds in any necessary examinations.
- (b) The dean, director or disciplinary commission, who has examined the investigation file, if considered necessary, can ask the same investigator or a member of the disciplinary commission to complete the inadequate parts of the processes of the investigation.
- Chiefs and Commissions who are authorized to give disciplinary punishments**
22. (a) Notice, condemnation and suspension punishments between one week to one month in higher education councils, directly to dean of faculty, director of graduate or vocational school,
- (b) The suspension of one or two semesters from the higher education institution and expelling punishments from the higher education institution are decided by the authorized disciplinary committee.
- (c) University, Faculty, Graduate and Vocational School Administrative Boards also serve as a disciplinary commission in their own institutions.
- The Assembling of the Disciplinary Commission**
23. The Disciplinary Commission assembles at the specified place, day and time with the convocation of the Head.
- The arrangement of the Disciplinary Commission's work**
24. The preparation of the agenda, the announcement to those concerned and carrying out commission's work regularly is provided by the head.
- The quorum of the assembly**
25. As the disciplinary commission, the quorum of the assembly of the administrative board is more than half of the exact number of the members of the commission.

- Reporter** 26. In commissions, the reporter position is carried out by the member assigned by the Head. The reporter member completes the examination of the file that will be endorsed in two days the latest and submits the report he will prepare to the Head.
- Meeting Method** 27. In the council commission, after the reporter speaks, the subject may begin. If the commission thinks that it is necessary, they can listen to additional testimony. When the subject comes to a conclusion and there are enough interviews, voting shall be held and the decision is expressed by the president.
- Voting** 28. In the disciplinary committee, each of the members is responsible to either accept or reject the decision, which means there is no “abstaining vote.” The decisions are given according to absolute majority.
- Decision** 29. Disciplinary Committee, who has the right to give disciplinary punishment, is responsible to accept or reject the proposed penalty given by the investigation reporter. By giving reasons, they can give any other disciplinary penalty for or against the student.
- Decision Time** 30. The authority, who is responsible for giving disciplinary punishment, should give “warning, condemnation, disposal from one week to one month from the school” within five days after the investigation finishes.
In case of giving any other disciplinary punishment, the file is, at once, sent to disciplinary committee. Disciplinary committee has to give the decision within ten days after the file is received.
- Points to Consider when giving the Punishment** 31. a) The authority, who is responsible for giving disciplinary punishment, take many points into consideration, like; the severity of the offence, the aim of the student, whether the student has taken any punishment before or not, whether the student feels any sorrow and the student’s behavior and manners.
b) In the situation of committing a crime in Girne American University with the help of other higher educational council’s student(s), one upper level punishment is given.
c) In disciplinary penalties, committed by a group of students, if the concerning students cannot be identified, each students in that group is punished individually by the competent authority.

- Notification of Penalties**
- 32.** The punishment given at the end of the Disciplinary investigations is reported in black and white by the chief administrator who has carried the investigation at first to the student, and then;
- (a)** To the student’s mother and father, in their absence, closest family member.
 - (b)** To the corporate instructions, private firms or people that give scholarship to the punished student.
 - (c)** To the Council of Higher Education
 - (d)** To the Presidency of YODAK
 - (e)** In case of dismissal from the school, in addition to the above, is reported black and white ;
 - 1) To the all Council of Higher Education
 - 2) To the Security Authorities
 - 3) To the related Recruitment Offices
 - 4) To the Council of Higher Education (OSYM)
- Implementation**
- 33.** The Disciplinary punishments are applied from the first day in which that punishment is given, unless any other date is stated.
- Objection Period and Appealing to Administrative Court**
- 34.** Based on the investigation files carried by the Disciplinary rules, the warning and condemnation punishments are final, so, against it, Administrative Court cannot be appealed.
- The temporarily suspended punishments from Girne American University, from one week to one month or from one semester to two, given by the Disciplinary Committee, are final and no appeal for higher authority is accepted. But in these kinds of punishments, administrative courts can be appealed.
- The temporarily suspended punishments from the school given by the Disciplinary Committee can be objected within fifteen days to the University Administrative Board.
- In the event of an objection, the appeal authority which is University Administrative Board, either accept or reject the given penalty by examining the decision.
- In case of objection, Disciplinary Committee or authorities, regarding reasons for rejection, decides on the appeal.
- Against the decisions taken by the University Administrative Board, Judicial Review of Administrative can be appealed.
- Time Lapse**
- 35. From the date when Authority learns about the students who commit the discipline crimes in this regulation;**
- (a)** Warning, condemnation, temporarily suspended from Girne American University from one week to one month, In the penalties of Suspension from one or two semester, or total dismissal from Girne American University, unless the

disciplinary investigations are started in six months, the right to give discipline punishment lapses.

- (b) From the date in which disciplinary punishment is required, unless the disciplinary punishment is given within two years, the right to give the discipline punishment lapses. But, in need of judiciary by disciplinary authority, this lapse starts from the day in which judicial sentence is confirmed.

Notification and Address Declaration

36. (a) Due to the disciplinary procedures, any kind of notifications is sent to the address which is given by the student, while registration to Girne American University, is finalized by also declaring it in the Girne American University.
- (b) In case of any change about their current address which is given by the student while registering, or not telling the University authority to save the new one, since the notification is sent to their former address, the students cannot claim that they don't get the notifications.

Delivering the File

37. The files which belong to the disciplinary investigation are delivered with the index list. Under the index list, there are two signatures signed by recipient and deliverer.

Form of Correspondence

38. The written communications with the individuals are done by registered and reply paid system. In the situation of submitting the document by hand, the signed paper is also put in the file.

Prohibitions

39. Confidentiality is essential at every stage of the investigation. For the ones who don't obey the rules, together with the administrative procedures, the provisions of regulations or executive boards of higher education, the lecturer, or the academic officers are applied.

Enforcement

40. Having been accepted by the University Senate, these regulations came into force in the 2007-2008 academic year.

Execution

41. The regulations are executed by the Rector Girne American University.

**Amendment
Dress Code**

1. To be valid from the beginning of 2001 Educational Period, in the campus, indoor and outdoor locations, wandering against to the contemporary dimensions or Atatürk's principles and revolutions, especially any kinds of appearance which is a symbol of ideological and political views, requires "suspension from the school between 1-30 days" or "completely dismissing the university" disciplinary actions.