

GIRNE AMERICAN UNIVERSITY

STUDENT DISCIPLINARY REGULATION

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Article 1 – Purpose

This Regulation has been prepared with the aim of stipulating the provisions concerning disciplinary penalties to be imposed on students of Girne American University who fail to fulfill the duties assigned to them by law, statute, regulation, and directives; who do not comply with necessary rules; who engage in prohibited acts; or who act in ways incompatible with the qualities of student identity, honor, and dignity, both within and outside the University.

Article 2 – Scope

This Regulation sets out the disciplinary offenses, disciplinary sanctions, the disciplinary supervisors and boards authorized to impose such sanctions, the rules of disciplinary investigations, the procedures and principles of appealing disciplinary penalties, and the enforcement of such penalties applicable to students receiving education and training at Girne American University.

Article 3 – Legal Basis

This Regulation is based on the Protocol on Cooperation in Higher Education signed on 26 May 1998 between the Higher Education Council of the Republic of Turkey (YÖK) and the Ministry of National Education, Culture, Youth, and Sports of the Turkish Republic of Northern Cyprus (TRNC), Article 3 of the Protocol, and Article 25 of Law No. 65/2005 of YÖDAK, which provide the legal foundation for this Regulation.

Article 4 – Definitions

For the purposes of this Regulation:

- **Higher Education Institution:** Refers to the University, Faculties, Institutes, Schools of Applied Sciences, Vocational Schools, and the Preparatory School.
 - **University:** Refers to Girne American University.
 - **Student:** Refers to those enrolled in undergraduate, graduate, or any other academic program within the Preparatory School or other units of Girne American University, as well as individuals benefiting from student rights. It also includes those who have engaged in acts falling under the scope of this Regulation during their student status, even if their enrollment at the University has subsequently been terminated.
 - **Suspension from the University:** Refers to the prohibition of a student's entry into the buildings, gardens, dormitories, annexes, and facilities of Girne American University for a specified period.
 - **Disciplinary Board:** Refers to the University, Faculty, Institute, School of Applied Sciences, Vocational School, and Preparatory School Administrative Boards, which are authorized to impose suspension or expulsion sanctions in higher education institutions.
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Article 5 – Disciplinary Penalties

(1) The disciplinary penalties are as follows:

(a) Warning

A written notification to the student stating that greater care must be exercised in fulfilling student duties and conduct.

(b) Reprimand

A written notification to the student indicating that their conduct has been deemed faulty and that they are censured for such behavior. This penalty is recorded in the student's file and noted on the student's transcript.

(c) Suspension from the University for a Period Between One Week and One Month

A written notification informing the student that they are suspended from Girne American University for a period ranging from one week to one month. During the suspension, the student is prohibited from attending classes, examinations, laboratories, workshops, or any other academic activities and from benefiting from student rights. This penalty is recorded in the student's file and noted on the student's transcript. The student is not entitled to any refund or reduction in tuition or dormitory fees.

(d) Suspension from the University for One Semester

A written notification informing the student that they are suspended from Girne American University for one semester. During this period, the student is prohibited from attending classes, examinations, laboratories, workshops, or any other academic activities and from benefiting from student rights. This penalty is recorded in the student's file and noted on the student's transcript. The student is not entitled to any refund or reduction in tuition or dormitory fees.

(e) Suspension from the University for Two Semesters

A written notification informing the student that they are suspended from Girne American University for two semesters. During this period, the student is prohibited from attending classes, examinations, laboratories, workshops, or any other academic activities and from benefiting from student rights.

(f) Dismissal from the University

This is the written notification to the student that all relations with the University have been permanently terminated and that the student has been expelled from student status with no possibility of being admitted to any higher education institution. This sanction is recorded in the student's file and indicated on the student's transcript. The student shall not be entitled to any reduction or refund of tuition and/or accommodation fees.

Article 6 – Disciplinary Acts Requiring a Warning Sanction

(1) The acts and situations requiring a warning penalty are as follows:

- (a) To display attitudes and behaviors unbecoming the dignity required by student status.
- (b) To behave rudely and disrespectfully in relations with others; to shout, sing, play musical instruments, make noise in a manner that disturbs others, or not to keep the environment clean.
- (c) Not to answer immediately, without a valid reason, the matters inquired about by the competent authorities.
- (d) To occupy the seats reserved for teaching staff or guests at meetings and ceremonies.
- (e) To smoke in indoor areas where smoking is prohibited.

Article 7 – Disciplinary Offenses Requiring a Reprimand Sanction

(1) The acts and situations requiring a reprimand sanction are as follows:

- (a) To provide incomplete or incorrect information with the intention of misleading the authorities of the higher education institution,
- (b) To disrupt the order of classes, seminars, examinations, practices, laboratories, workshops, scientific meetings and conferences,
- (c) To tear down, remove, alter, deface or damage current announcements, programs and similar notices posted by or with the permission of the higher education institution,
- (d) To attempt to cheat in examinations,
- (e) To use cigarettes, other tobacco products, or electronic cigarettes in areas on the university campus other than those designated by the University Senate.

Article 8 – Disciplinary Offenses Requiring Suspension from the University for a Period of One Week to One Month

(1) The acts and situations requiring suspension from the university for a period of one week to one month are as follows:

- (a)** To engage in acts that obstruct the freedom of learning and teaching, or disturb the functioning and order of higher education institutions,
- (b)** To obstruct the proper conduct of disciplinary investigations,
- (c)** To give to another person a document obtained from the higher education institution which provides rights to oneself, thereby allowing its use, or to use a document belonging to another person,
- (d)** To engage in verbal or written acts within the higher education institution that damage the honor and dignity of individuals,
- (e)** To engage in verbal or written acts, within or outside the institution, that damage the honor and dignity of higher education institution personnel,
- (f)** To consume alcoholic beverages within the higher education institution,
- (g)** To threaten higher education institution personnel or students.

Article 9 – Disciplinary Offenses Requiring Suspension from the University for One Semester

(1) The acts and situations requiring suspension from Girne American University for one semester are as follows:

- (a)** To engage in occupations or similar acts that obstruct the services of the higher education institution,
- (b)** To physically assault the staff or students of the institution,
- (c)** To commit theft within the higher education institution,
- (d)** To damage buildings, fixtures, or similar materials belonging to the higher education institution, or to harm the information systems,
- (e)** To cheat or to enable cheating in examinations,
- (f)** To commit plagiarism in seminars, theses, and publications, or, except for contributions not involving academic evaluation such as surveys or data collection, to have them partially or entirely written by others outside one's personal effort and academic knowledge,
- (g)** To fail to comply with a suspension penalty imposed by the higher education institution.

Article 10 – Disciplinary Offenses Requiring Suspension from the University for Two Semesters

(1) The acts and situations requiring suspension from Girne American University for two semesters are as follows:

- (a) To obstruct the performance of duties by using force or violence against the officials of the higher education institution,
- (b) To prevent students from benefiting from higher education services by using force or violence against them,
- (c) To use, carry, or possess narcotic or stimulant substances within higher education institutions,
- (d) To cheat in examinations by means of threats, to prevent students caught cheating from being removed from the examination hall, to have another person take an examination in one's place, or to take an examination on behalf of another person,
- (e) To commit sexual harassment within higher education institutions,
- (f) To carry or possess, within higher education institutions, firearms, their ammunition, knives, or other instruments specially made for attack or defense, as well as explosive substances, in violation of the law,
- (g) To unlawfully access the information system of the higher education institution in order to obtain unfair advantage for oneself or another, or to cause harm to individuals,
- (h) To threaten those assigned to conduct an investigation.

Article 11 – Disciplinary Offenses Requiring Expulsion from the University

(1) The acts and situations requiring expulsion from Girne American University are as follows:

- (a) To establish an organization for the purpose of committing a crime, to lead such an organization, or to become a member of such an organization, provided that it has been finalized by a court decision,
- (b) To sell, distribute, or trade narcotic or stimulant substances within higher education institutions,
- (c) To use firearms, their ammunition, knives, or other instruments specially made for attack or defense, as well as explosive materials, within higher education institutions in violation of the law,
- (d) To violate the bodily integrity of individuals within higher education institutions by engaging in sexual acts on their bodies.

Article 12 – Unforeseen Disciplinary Offenses

Apart from the disciplinary offenses requiring suspension or expulsion from the university, disciplinary penalties of the same kind shall also be imposed on those who commit acts and situations which, in terms of their nature and severity, are similar to those deemed to require a reprimand and disciplinary sanction.

Article 13 – Recurrence of a Disciplinary Offense

(1) In the case of recurrence of an act that has previously resulted in a disciplinary sanction, if it occurs after the notification of the sanction and within the statute of limitations for disciplinary penalties, a heavier sanction shall be imposed.

(2) Expulsion from the higher education institution may not be imposed solely on the grounds of recurrence of a disciplinary offense.

Article 14 – Authorities and Boards Authorized to Conduct Investigations

(1) The authorities authorized to initiate disciplinary investigations are as follows:

(a) In cases of disciplinary offenses committed by students within a Faculty, Institute, School of Applied Sciences, Vocational School, or Preparatory School, the authority to initiate an investigation rests with the relevant Faculty Dean, Institute Director, Director of the School of Applied Sciences, Director of the Vocational School, or Director of the Preparatory School.

(b) Except for the provision set out in subparagraph (a) of this paragraph, in cases of disciplinary offenses committed in common areas or premises, offenses committed collectively by students, or offenses committed jointly by students of more than one Faculty, Institute, School of Applied Sciences, Vocational School, or Preparatory School, the authority to initiate an investigation rests with the Rector.

(2) The investigation shall be conducted by an investigator or investigators appointed by the competent disciplinary authority. If deemed necessary, the disciplinary authority may also request the appointment of an investigator from another higher education institution.

Article 15 – Time Limit and Statute of Limitations for Disciplinary Investigations

(1) A disciplinary investigation shall commence immediately upon the written record of the incident subject to discipline being received, and it shall be concluded within a maximum of thirty (30) working days. If the investigation cannot be completed within this period, the investigator may request an extension with justification. Taking into account the justification provided and the statute of limitations, the disciplinary authority may grant additional time not exceeding thirty (30) working days at each request, up to a maximum of sixty (60) working days, and in cases involving offenses committed collectively, up to ninety (90) working days.

(2) For acts considered disciplinary offenses under this Regulation, disciplinary investigations must be initiated, starting from the date the competent disciplinary authority becomes aware of the act:

- i. Within one (1) month for reprimands and suspensions from the higher education institution for a period of one week to one month,
- ii. Within three (3) months for suspensions from the higher education institution for one or two semesters, and for expulsions from the higher education institution.

If a disciplinary investigation is not initiated within these timeframes, the authority to impose the disciplinary sanction shall lapse due to the statute of limitations.

(3) If a disciplinary sanction is not imposed within two (2) years from the date the act requiring the disciplinary sanction was committed, the authority to impose the disciplinary sanction shall lapse due to the statute of limitations. However, in cases where the disciplinary authority or board deems a judicial ruling necessary, this statute of limitations period shall commence from the date the judicial ruling becomes final.

(4) In cases where a disciplinary sanction is annulled by a court ruling, a new disciplinary sanction may be imposed in accordance with the requirements of the ruling within the remaining statute of limitations period starting from the date the decision is received by the administration. If the statute of limitations period has expired, or if less than three (3) months remain before its expiration, the sanction must be re-imposed within three (3) months at the latest.

Article 16 – Right of Defense

(1) A student subject to a disciplinary investigation shall be notified in writing of the alleged offense at least seven (7) working days before the date of defense; the notification may also be delivered through the student information system, email, or short message. The notice shall request the student to be present on the specified date, time, and place to present their defense.

(2) The student may present their defense orally or in writing. After a written defense is submitted, the investigator may ask the student additional questions.

(3) The notification sent to the student shall state that if the student fails to appear without a valid excuse, or fails to present the excuse on time, it will be considered as a waiver of the right of defense, and a decision will be made on the basis of the available evidence.

(4) A student who presents a valid excuse, or is unable to attend due to force majeure, shall be granted an appropriate additional period. Students in detention shall be informed that they may submit their defense in writing.

(5) The investigation shall be conducted in a manner that ensures the student has a proper opportunity to present their defense.

Article 17 – Principles to Be Applied in Disciplinary Investigations

(1) Confidentiality shall be observed at every stage of the investigation.

(2) The investigator may hear witnesses, conduct on-site inspections, and consult experts. Each investigative procedure shall be recorded in a written report. The report shall specify where and when the procedure was carried out, its nature, the participants, and in the case of testimony, the questions asked and the answers given. The report shall be signed by the investigator, the clerk, the person giving the statement, and, if applicable, those present during the inspection. Witnesses, as well as experts where appointed, shall be sworn in; their identity, address, and other relevant details shall be recorded.

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

(4) The investigator shall conduct and conclude the investigation limited to the person(s) and act(s) under investigation. If, during the investigation, the investigator determines that other disciplinary offenses have been committed, or that other individuals should be included within the scope of the same offense, the matter shall be reported to the competent authority.

(5) The fact that a student has left the higher education institution, for any reason, after committing a disciplinary offense shall not prevent the initiation or continuation of the investigation or the taking of necessary decisions.

(6) If a student commits a disciplinary offense while studying at another higher education institution, the authority to conduct the investigation and impose disciplinary sanctions rests with that institution. The decision rendered shall be promptly communicated to the student's registered higher education institution for enforcement.

(7) The initiation of criminal proceedings against a student for the same incident shall not delay the disciplinary investigation. Whether or not the student is prosecuted or convicted shall not preclude the imposition of disciplinary sanctions.

Article 18 – Investigation Report

When the investigation is concluded, a report shall be prepared. The report shall include the investigation authorization, the date on which the investigation was initiated, the identity of the person under investigation, the offense and issues involved, the stages of the investigation, the evidence, and a summary of the defense received. Each alleged offense shall be analyzed separately, discussing whether it has been proven based on the evidence, and the appropriate disciplinary sanction shall be proposed. If applicable, the original documents or their copies shall be attached to the report with an inventory list. The investigation report shall be submitted, together with the file, to the competent authority who initiated the investigation.

Article 19 – Completion of the Investigation

Disciplinary proceedings shall be concluded directly by the disciplinary authorities authorized to impose sanctions, as specified in Article 19 of this Regulation, taking into account the time limits set out in Article 22(3) of this Regulation, or shall be immediately referred to the competent disciplinary board. In the event of referral to the disciplinary board, the board shall convene within three (3) working days at the latest and shall carry out the necessary examinations in accordance with the working procedures and time limits prescribed by this Regulation.

Article 20 – Authorities and Boards Authorized to Impose Disciplinary Sanctions

(1) The authorities and boards authorized to impose disciplinary sanctions are as follows:

(a) Reprimands and suspensions from higher education institutions for a period of one week to one month shall be imposed by the relevant Faculty Dean, Institute Director, Director of the School of Applied Sciences, Director of the Vocational School, or Director of the Preparatory School.

(b) In the case of disciplinary offenses committed in common areas, the authority to impose reprimands and suspensions from higher education institutions for a period of one week to one month rests with the Rector.

(c) Suspensions from the higher education institution for one or two semesters, as well as expulsions from the higher education institution, shall be imposed by the competent disciplinary board.

(d) In investigations conducted by a Faculty, Institute, School of Applied Sciences, Vocational School, or Preparatory School, the management boards of these units shall act as the disciplinary board; in investigations conducted by the Rector, the University Administrative Board shall act as the disciplinary board.

Article 21 – Working Procedures of the Disciplinary Board

(1) The Disciplinary Board shall convene at the place, date, and time determined upon the call of the Chair.

(2) The preparation of the meeting agenda, its notification to the relevant parties, and the orderly conduct of the board's proceedings shall be ensured by the Chair.

(3) The quorum for meetings of the Disciplinary Board, acting as the administrative board, shall be the simple majority of the total number of members.

(4) The duties of rapporteur in the Disciplinary Board shall be carried out by a member appointed by the Chair. The rapporteur member shall complete the examination of the assigned file within five (5) working days at the latest.

(5) At the meeting, the explanations of the rapporteur shall be heard first. If deemed necessary, the board may also hear the investigators. At the end of the deliberations, a vote shall be taken and the decision shall be announced by the Chair.

Article 22 – Voting in the Disciplinary Board

(1) Decisions in the Disciplinary Boards shall be taken by an absolute majority of those present. In the event of a tie, the decision shall be deemed to have been made in line with the vote cast by the Chair.

(2) If the investigator is a member of the Disciplinary Board, they may not attend the meetings concerning the file of their own investigation, nor may they cast a vote.

Article 23 – Decision and Time Frame for Decision

(1) The authorities authorized to impose disciplinary sanctions may, in cases where deficiencies are identified in the investigation, return the file in order to remedy such deficiencies; they may also impose the disciplinary sanction proposed by the investigator as it is, mitigate it, or reject it.

(2) The authorities and disciplinary boards authorized to impose disciplinary sanctions may, by taking into account the gravity of the act constituting the disciplinary offense, whether the student under investigation has previously received a disciplinary sanction, whether they have shown remorse for the act committed, and their past conduct, performance, and achievements within the higher education institution, impose a sanction one degree lower. The authority competent to impose the original sanction shall also be the one to impose the reduced sanction.

(3) The authorities authorized to impose disciplinary sanctions shall render decisions regarding reprimands and suspensions from the higher education institution for a period of

one week to one month within ten (10) working days at the latest from the date the investigation is concluded. In cases requiring the imposition of other disciplinary sanctions, the file shall be immediately referred to the disciplinary board. The disciplinary board shall render its decision within ten (10) working days at the latest from the date it receives the file.

Article 24 – Submission of the File

All reports, decisions, files, and documents related to the disciplinary investigation shall be kept in the higher education institution to which the competent disciplinary authorities are affiliated, and a copy of these, together with the inventory list, shall be submitted to the Rectorate of Girne American University.

Article 25 – Notification and Enforcement of Sanctions

(1) The outcome of the disciplinary investigation shall be notified by the Rectorate of Girne American University to the student under investigation and, if applicable, to the victim.

(2) In addition to the parties listed above, any disciplinary sanction imposed as a result of the investigation shall also be notified by the Rectorate of Girne American University to the institution granting scholarships or loans to the student, as well as to the higher education institution.

(3) All notifications regarding disciplinary proceedings shall be delivered to the address provided by the student at the time of registration with Girne American University, or electronically to the address provided by the student for the purpose of receiving official notifications.

(4) Students who have changed their address after registering with Girne American University but have failed to register the new address with the relevant university offices, or who have provided incorrect or incomplete addresses, shall not be entitled to claim that they were not duly notified if the notification is sent to the address on record at the University.

(5) Disciplinary sanctions shall also be recorded in the student's personal file and communicated by the Rectorate to the relevant units.

Article 26 – Implementation

If the decisions of the disciplinary authority or board authorized to impose sanctions do not specify the date from which they are to take effect, disciplinary sanctions shall be enforced as of the date on which they are imposed.

Article 27 – Appeal Period and Administrative Judicial Remedy

(1) A student may appeal to the University Administrative Board within fifteen (15) working days against disciplinary sanctions imposed by disciplinary authorities and boards. Within the scope of the file, a person who has been directly harmed by the act constituting the disciplinary offense may also appeal the decision in the same manner.

(2) In the event of an appeal, the University Administrative Board shall decide within fifteen (15) working days whether to accept or reject the appeal. If the appeal is accepted, the competent disciplinary authority or board shall issue a new decision within thirty (30) working days, taking into account the grounds for acceptance.

(3) Students may also seek recourse to administrative judicial remedy against disciplinary sanctions without first exercising the right of appeal.

Article 28 – Entry into Force

This Regulation entered into force with the approval of the University Senate as of the beginning of the 2024–2025 academic year.

Article 29 – Execution

The provisions of this Regulation shall be executed by the Rector of Girne American University.