



## **T.R. HALIÇ UNIVERSITY**

### **PERSONNEL DISCIPLINARY INVESTIGATION GUIDE**

#### **SECTION I GENERAL**

Personnel disciplinary investigations in higher education institutions are conducted in accordance with the provisions of Article 53 of the Higher Education Law No. 2547.

This guide includes explanations and correspondence examples regarding the key points to be observed during the initiation, execution, and conclusion phases of a disciplinary investigation. Disciplinary authorities and investigators are required to read the Law and act in accordance with its provisions at each stage of the investigation.

Where necessary, the relevant article numbers of the Law are indicated in parentheses. Examples of frequently used correspondence in disciplinary investigations are provided at the end of the explanations to assist disciplinary authorities and investigators.

## SECTION II

### DISCIPLINARY OFFENSES AND PENALTIES (2547/53)

The disciplinary penalties foreseen in Law No. 2547 include:

- Warning
- Reprimand
- Deductions from salary or wages
- Suspension of promotion or multiple salary deductions
- Dismissal from the university teaching profession
- Dismissal from public service

The offenses for which these penalties are applied are outlined in Article 53/b of Law No. 2547. The same article also refers to the Civil Servants Law No. 657. Therefore, evaluating an offense, should be assessed according to both Article 53(b) of the Higher Education Law and Article 125 of the Civil Servants Law. It is sufficient for an act to be listed as an offense under either of these two articles.

Disciplinary penalties are also applied to acts similar in nature and severity to those explicitly listed in the Law. If a penalty is imposed for an offense not explicitly listed, it should be stated that the penalty is applied based on Article 53/D of Law No. 2547, along with an explanation of which disciplinary offense the unlisted offense is comparable to (2547/53-D).

**1- Warning:** A warning is issued to inform the staff member to be more careful in their duties and behavior. Offenses that warrant a warning include:

- a. Failing to ensure the proper development of subordinate staff.
- b. Failing to acknowledge and credit the contributions of individuals, institutions, or organizations that supported research and publications.
- c. Demonstrating negligence or disorganization in the completion of tasks and adherence to institutional procedures and regulations.
- d. Making improper applications or complaints.

**2- Reprimand:** A reprimand is issued in writing to inform the staff member that they have been found lacking in their duties and behavior. The offenses that warrant reprimand are:

- a. (Repealed: 15/4/2020-7243/7 Art.)
- b. Providing private lessons to students to whom one is officially obligated to teach.
- c. (Repealed: 15/4/2020-7243/7 Art.)
- d. Using or allowing the use of any area within the university or its affiliated units for purposes other than those intended for institutional services without permission.
- e. Failing to respect patient rights in publications.
- f. Acting in violation of the relevant legislation in biomedical or other clinical research involving human subjects.
- g. Sharing information from a work assigned for review with others before publication without the explicit permission of the author.
- h. Publishing data obtained from surveys or attitude studies conducted within the scope of scientific research without obtaining explicit consent from participants or, if the research is conducted within an institution, without obtaining institutional approval.

- i. Failing to obtain written approval from the competent authorities before commencing research and experiments.
- j. Conducting research and experiments in violation of regulations or the provisions of international treaties to which Turkey is a party.
- k. Failing to inform and warn relevant parties about potentially harmful practices in scientific research.
- l. (Repealed: 15/4/2020-7243/7 Art.)
- m. Printing, reproducing, distributing, displaying, or posting on institutional premises any declarations, posters, banners, tapes, or similar materials with violent or hate-related content.
- n. Engaging in political party activities or propaganda within higher education institutions.
- o. Acting negligently in fulfilling duties completely and on time or complying with institutional procedures and regulations.
- p. Failing to fulfill notification obligations stipulated in the legislation.
- q. Showing verbal disrespect toward a superior during duty.
- r. Using, losing, or damaging official tools, equipment, or similar items for personal purposes.
- s. (Added: 15/4/2020-7243/7 Art.) (Subparagraph annulled by the Constitutional Court's Decision dated 28/12/2023 and numbered E: 2020/55, K: 2023/228.)
- t. (Added: 15/4/2020-7243/7 Art.) Failing to attend assigned committee meetings or other mandatory meetings without permission or valid excuse more than once within a year.

**3- Salary Deduction:** It consists of a one-time deduction between 1/30 and 1/8 of the gross salary. Offenses warranting salary deduction include:

- a. Disseminating discussions and decisions made in higher education institutions' governing bodies without authorization to influence members negatively.
- b. Failing to return institutional vehicles, equipment, documents, or similar items within the designated period despite written requests after duty termination.
- c. Causing harm to animals or ecological balance in research and experiments.
- d. Failing to use data and information obtained from other individuals or institutions in scientific studies in accordance with permissions, not maintaining confidentiality, or failing to ensure data protection.
- e. Misusing funds, spaces, facilities, and equipment allocated for scientific research.
- f. (Repealed: 15/4/2020-7243/7 Art.)
- g. Fragmenting research findings inappropriately and publishing them separately to present multiple publications for academic appointments and promotions.
- h. Including individuals without active contributions as authors or excluding contributors from authorship, unjustifiably altering author rankings, removing contributors' names in later editions, or using influence to be listed as an author without active contribution.
- i. Making baseless, unjust, or deliberate accusations.
- j. Illegally accessing or remaining within the institution's information systems.
- k. (Added: 15/4/2020-7243/7 Art.) Providing false or misleading statements in academic appointment and promotion applications regarding scientific research and publications.
- l. (Added: 15/4/2020-7243/7 Art.) Intentionally failing to perform duties completely and on time or not complying with institutional procedures and regulations.
- m. (Added: 15/4/2020-7243/7 Art.) Being absent from duty without excuse for 3 to 9 consecutive days.

- n. (Added: 15/4/2020-7243/7 Art.) Facilitating, using, or allowing unauthorized use of institutional premises for meetings, ceremonies, or similar purposes.
- o. (Added: 15/4/2020-7243/7 Art.) Printing, reproducing, distributing, or displaying prohibited publications.

#### **4- Suspension of Rank Advancement or Multiple Salary Deductions**

For salaried faculty members in public higher education institutions, the suspension of their rank advancement for 1 to 3 years based on the severity of the violation. For faculty members in foundation universities, a salary deduction of 1/30 to 1/8 of their gross salary for 3 to 6 months based on the severity of the violation.

Offenses warranting suspension of rank advancement or multiple salary deductions include:

- a. Falsifying, destroying, concealing, or forging official documents or knowingly using forged documents.
- b. Directly or indirectly receiving benefits due to or during duty, requesting or accepting loans from individuals or students.
- c. Obstructing the execution of public services, participating in boycotts or occupation activities.
- d. Hindering educational activities such as lectures, seminars, conferences, laboratory work, graphical studies, and exams; forcing or encouraging students and personnel to abandon educational activities; or participating in such actions.
- e. Making false statements or unjust accusations against superiors, colleagues, personnel, service beneficiaries, or students using media or information systems or disclosing private information about them without consent.
- f. Violating relevant legislation in biomedical and other clinical research, causing harm to individuals.
- g. Using non-existent or falsified data in scientific research, tampering with research records or obtained data, falsely presenting unused devices or materials as used in research, or manipulating research results for the benefit of funding entities.
- h. Discriminating based on language, race, color, gender, political opinion, philosophical belief, religion, or sect in performing duties or engaging in actions that benefit or harm individuals contrary to duty requirements.
- i. (Repealed: 15/4/2020-7243/7 Art.)
- j. (Added: 15/4/2020-7243/7 Art.) Presenting duplicate publications as separate works for academic appointments and promotions.
- k. (Added: 15/4/2020-7243/7 Art.) Reporting to duty while intoxicated or consuming alcoholic beverages at the workplace.
- l. (Added: 15/4/2020-7243/7 Art.) Preparing false reports and documents.
- m. (Added: 15/4/2020-7243/7 Art.) Engaging in trade or other prohibited profit-generating activities, except for those permitted by relevant laws.
- n. (Added: 15/4/2020-7243/7 Art.) Disclosing confidential information and documents learned in the course of duty.
- o. (Added: 15/4/2020-7243/7 Art.) Insulting or threatening superiors, subordinates, colleagues, or service recipients.

## **5- Dismissal from the University Teaching Profession**

Dismissal from the university teaching profession, prohibiting reappointment to an academic position. Offenses requiring this penalty include:

- a. (Added: 15/4/2020-7243/7 Art.) Presenting others' original ideas, methods, data, or works as one's own, either partially or entirely, without proper attribution in accordance with scientific rules.
- b. (Added: 15/4/2020-7243/7 Art.) Using publications and studies produced by others—either paid or unpaid—for appointment and promotion, title acquisition, or degree advancement, except for contributions that do not involve academic evaluation, such as survey administration or data collection.
- c. (Added: 15/4/2020-7243/7 Art.) Failing to report to work for a total of 20 days in a year without a valid excuse or leave.

## **6- Dismissal from Public Service**

Dismissal from public service, prohibiting reappointment as an academic staff member or public servant in public institutions and foundation universities. Offenses requiring this penalty include:

- a. (Amended: 15/4/2020-7243/7 Art.) Engaging in or supporting terrorist activities or using public resources and facilities for such organizations.
- b. Physically assaulting or sexually harassing superiors, colleagues, staff, service recipients, or students.
- c. Engaging in disgraceful and shameful acts incompatible with the dignity of public service or academic positions.
- d. Using, possessing, distributing, encouraging the use of, selling, or manufacturing narcotic drugs or other recognized stimulants.
- e. Illegally obtaining, storing, using, distributing, altering, or destroying institutional data.
- f. Intentionally disrupting or obstructing the operation of the institution's information systems.

## **SECTION III**

### **DISCIPLINARY INVESTIGATION AND RIGHT OF DEFENSE (2547/53)**

#### **1- Initiation and Conduct of the Investigation (2547/53-A)**

The disciplinary supervisor initiates a written disciplinary investigation upon learning of an act requiring disciplinary action. A subordinate disciplinary supervisor cannot conduct a separate investigation if a senior disciplinary supervisor initiates or orders an investigation. Any prior investigations shall be merged with the one initiated or ordered by the senior supervisor.

The investigation assignment letter must explicitly state against whom the investigation is being conducted and for which specific act(s). (For example, instead of “absence from work,” it should specify “absence from work on January 2, 3, and 4, 20.. (three days)”). The subject act(s) of the investigation should be clearly indicated, but the specific disciplinary article should not be mentioned.

In cases of vague complaints, mere suspicions, or unclear perpetrators, the disciplinary supervisor should first conduct a preliminary review. If an investigation is required, it must be concluded within fifteen days, considering the statute of limitations for disciplinary actions.

Ethics committees must review acts requiring disciplinary penalties related to scientific research and publication ethics before initiating a disciplinary investigation.

The disciplinary supervisor may conduct the investigation personally or appoint an investigator or a commission from within the unit. In exceptional cases, an investigator may be requested from other units through the rectorate.

The investigator's rank and title must be equal to or higher than those of the investigated person. The investigator must be impartial, uninvolved in the incident, and must not have any hostility towards the person under investigation.

If an act is committed jointly by a subordinate and a superior, the investigation procedure and disciplinary authority are determined based on the superior's position.

If the person under investigation held a different position or title at the time of the offense, the disciplinary investigation is conducted based on the higher position or title. The determination of the disciplinary supervisor and the applicable disciplinary rules shall follow the relevant institutional regulations.

The investigator has the authority to collect information and documents, take statements, interview witnesses, consult experts, conduct inspections, perform examinations, and correspond with relevant authorities. Any requested documents must be provided without delay.

The investigator conducts the investigation strictly within the scope of the assignment. The investigator must immediately inform the disciplinary supervisor if new disciplinary violations emerge during the investigation.

All investigation procedures are documented. Confidentiality is fundamental in disciplinary investigations.

The investigation must be completed within two months from the date of assignment. If not completed within this period, the investigator may request an extension with justification. The disciplinary supervisor shall assess the justification and decide, considering the statute of limitations.

The resignation, retirement, or termination of the person being investigated does not prevent the initiation or continuation of the investigation. In such cases, the disciplinary penalty is recorded in the personnel file. Penalties such as salary deductions, pay cuts, or suspension of rank progression are enforced if the individual returns to public service or takes a position in a foundation university.

The fact that an act is subject to administrative sanctions under other laws does not prevent disciplinary action under this law.

## **2- Right of Defense**

No disciplinary penalty can be imposed without allowing the accused to present a defense.

The defense request letter must clearly specify the alleged act(s), just as in the investigation assignment letter (e.g., “absence from work on January 2, 3, and 4, 20.. (three days)” instead of “absence from work for three days”).

Those facing dismissal from the university teaching profession and public service have the right to review the investigation documents, present witnesses, and defend themselves orally or in writing, either personally or through their legal representative, before the disciplinary committee.

## **3- Simultaneous Criminal and Disciplinary Proceedings**

The initiation of a criminal investigation or prosecution does not prevent the conduct of a disciplinary investigation, the imposition of a disciplinary penalty, or its enforcement for the same act. If necessary, the disciplinary investigation may be suspended pending the outcome of the criminal case, in this case, the statute of limitations for disciplinary action is also suspended. (2547/53/A-n).

## **4- Investigation Report**

Upon completion of the investigation, the investigator must prepare a report including:

- The authority that initiated the investigation,
- Date and reference number of the investigation assignment,
- Identity and position of the investigated person,
- Subjects of the investigation,
- Stages of the investigation,
- Evidence,
- Summary of the defense and witness testimonies,
- Analysis of each alleged offense and assessment of its validity based on evidence,
- Proposed penalty (including any proposed reduction under Article 53/D of the Higher Education Law 2547, along with justifications).

The report should not merely cite legal provisions but should explicitly state the established act and which provision of Article 2547 it violates.

Original or certified copies of documents in the investigation file should be attached to the report in an itemized list.

## **SECTION IV DISCIPLINARY INVESTIGATION OF PERSONNEL (2547/53-c)**

The competent authorities may initiate an investigation regarding alleged offenses committed by the presidents and members of higher education institutions, administrators of higher education institutions, tenured and contracted academic staff, and civil servants subject to Law No. 657 within these institutions, either due to their duties or while performing their duties. If

it is decided to initiate an investigation based on the preliminary examination or to proceed with an investigation directly, the following provisions shall apply:

### **1- Preliminary Investigation**

For the President of the Council of Higher Education, a committee of at least three members, composed of members of the Council of Higher Education and chaired by the Minister of National Education (excluding the President of the Council of Higher Education), shall conduct the preliminary investigation. For other individuals, the investigation shall be carried out either directly by the President of the Council of Higher Education or other disciplinary supervisors or by investigators assigned by them.

If an academic staff member is appointed as an investigator, they must hold an academic title equal to or higher than the academic staff member under investigation.

### **2- Decision on Initiating a Final Investigation**

The decision to proceed with a final investigation shall be made by:

- a. The 2nd Chamber of the Council of State for the President and members of the Council of Higher Education and the Higher Education Supervisory Board,
- b. A three-member committee formed from the members of the Council of Higher Education for state and foundation university rectors, vice-rectors, and the general secretaries of higher education institutions,
- c. A three-member committee consisting of the rector and vice-rectors appointed by the rector for university, faculty, institute, and vocational school executive board members, faculty deans, vice-deans, institute and vocational school directors and their deputies, and university general secretaries,
- d. A three-member committee selected from among the university executive board members for academic staff, faculty, institute, and vocational school secretaries,
- e. The provincial administrative board with jurisdiction over the location for civil servants subject to Law No. 657.
- f. The primary and alternate members of the committees formed by the Council of Higher Education and university executive boards are elected for a term of one year. Members whose terms expire may be re-elected.

**3-** The committees responsible for deciding whether to initiate the final investigation convene with their full membership. Members who conducted the initial investigation and those subject to the decision cannot participate. Any vacancies are filled by alternate members. In other matters, the provisions of Article 61 of Law No. 2547 apply.

**4-** Appeals against the necessity of prosecution decisions issued by the 2nd Chamber of the Council of State regarding the President and members of the Higher Education Council and the Higher Education Supervisory Board, as well as the automatic review of non-prosecution decisions, fall under the jurisdiction of the Council of State's Administrative Affairs Board. Appeals against the necessity of prosecution decisions issued by other committees and the automatic review of non-prosecution decisions are examined and decided upon by the 2nd Chamber of the Council of State.



For the President and members of the Higher Education Council and the Higher Education Supervisory Board whose necessity of prosecution decision has become final, trials are conducted by the relevant Criminal Chamber of the Court of Cassation, with appeals reviewed by the General Criminal Assembly. The trials of other officials fall under the jurisdiction of the local judicial courts where the offense was committed.

**5-** When individuals of different statuses commit an offense together, the investigation procedure and the competent judicial authority are determined based on the higher-ranking individual.

**6-** In criminal investigations conducted against the President of the Higher Education Council and university rectors for offenses covered under Law No. 3628 on Asset Declarations, Combating Bribery, and Corruption, the aforementioned criminal prosecution procedure is applied.

For offenses falling under Law No. 3628, the necessary authorization for legal prosecution is obtained from the President of the Higher Education Council for members of the Higher Education Council, the President and members of the Higher Education Supervisory Board, and the staff of these institutions (including the staff of the Interuniversity Council). Authorization is obtained from the respective university rectors for university administrators, academic staff, and other university employees.

**7-** The above-mentioned procedures shall not apply to crimes committed with the aim of destroying the fundamental rights and freedoms enshrined in the Constitution, the indivisible unity of the State with its territory and nation, or the Republic as defined in the Constitution, based on discrimination based on language, race, class, religion, or sect, and related crimes; crimes that directly or indirectly restrict the freedom of learning and teaching, that disrupt the peace, tranquility, and working order of institutions, boycott, occupation, obstruction, encouragement, and incitement of these; crimes related to anarchic and ideological events, and crimes involving red-handedness that carry a heavy penalty; in such cases, the Public Prosecutor shall directly prosecute.

**8-** The university administrative board consists of the rector as the chairman, the deans, and three professors elected by the senate for a four-year term to represent the various educational units and fields affiliated with the university.

### **Matters to be Considered in Criminal Investigation**

- During the investigation process, all correspondence with individuals (such as the suspect, witness, or complainant) must be conducted via registered mail with return receipt. If the document is delivered in person, a signed delivery record (notification report) must be obtained and kept in the file.
- If the suspect's address is unknown, an address inquiry should be requested from the Police Department.
- If the suspect does not receive the notification (invitation) or, despite receiving it, fails to appear at the specified date and time, a Writ of Compulsion (İhzar Müzekkeresi) shall

be requested from the Criminal Court of Peace, and the suspect shall be brought in by law enforcement officers. If the suspect still cannot be found, a decision may be made without taking the suspect's statement.

- The suspect must not be placed under oath when their statement is taken.
- The suspect is summoned by means of a written notice (invitation) and must be given a reasonable period to provide a statement.
- If the suspect, for a valid reason, cannot provide a statement within the specified period, they must immediately inform the investigator of this situation.
- If the suspect, complainant, or witness is located elsewhere, their statement shall be taken by means of a request for judicial assistance (commission rogatoire).
- The investigator may appoint a representative to carry out the necessary procedures in a different location.
- In such cases, the investigator shall issue a written instruction (letter of commission) to the appointed representative, clearly specifying the actions to be performed.
- In these situations, it should be reminded by the investigator that the deputies must act in accordance with legal procedures regarding the presence of a sworn clerk and the proper preparation of official records.

The investigator must conduct the statement-taking process in accordance with Article 148 of the Criminal Procedure Code (CMK), taking into consideration the “prohibited methods of interrogation.” These include:

- a) The suspect's statement must be based on their free will. No physical or psychological interventions such as mistreatment, torture, administration of drugs, exhaustion, deception, coercion, threats, or the use of certain means that could impair free will shall be permitted.
- b) No unlawful benefit may be promised to the suspect.
- c) Statements obtained through prohibited methods, even if given voluntarily, cannot be considered as evidence.

#### **\* Decision to Proceed with Trial**

According to Article 53 of Law No. 2547, if there is convincing and sufficient evidence indicating that the suspect committed the offense, a decision to proceed with the suspect's trial (lüzum-u muhakeme) is issued.

In this context, decisions issued by the competent board regarding the suspect, which form the basis for filing a public lawsuit, constitute an indictment. Therefore, decisions issued by competent boards must include:

- The suspect's full name,
- The official title and position held by the suspect at the time of committing the offense,
- A description of the act constituting the offense requiring criminal prosecution, and the specific crime alleged,
- The date on which each act occurred,
- The reasoning for each decision,
- Whether the decision was reached unanimously or by majority vote,
- The evidence and, based on this evidence, the applicable legal provisions and the court where the trial will be conducted.

The lüzum-u muhakeme decision is personally notified to the suspect. If the suspect cannot be located, notification is made publicly in accordance with Law No. 7201 on Notifications.

### **Objection to a decision on the necessity of trial**

The decision can be appealed within 10 days to a higher board. If no appeal is filed or the higher board confirms the decision, it becomes final. The file is then sent to the competent public prosecutor's office via the board that issued the decision, for the final investigation to be conducted at the competent court. These decisions are considered indictments, and the trial begins as soon as the case reaches the court and is prioritized for conclusion.

The higher board reviewing the appeal may overturn the lüzum-u muhakeme decision and decide not to proceed with prosecution (men-i muhakeme). In this case, the suspect is not tried, and this decision is final.

### **\*Decision Not to Proceed with Trial**

If there is no evidence that the suspect committed an offense, the legal elements of the crime are not met, the offense cannot be attributed to the suspect, or although an offense occurred, there is insufficient evidence to initiate a public lawsuit, a men-i muhakeme decision is issued.

The men-i muhakeme decision prevents the conduct of a final investigation against the suspect.

### **Objection to the decision to prohibit the trial**

These decisions are notified to the complainant, if any, and relevant parties may appeal within 10 days. Whether or not an appeal is filed, the decision is always reviewed by a higher board, and if confirmed, the men-i muhakeme decision becomes final.

The higher board may overturn the men-i muhakeme decision and issue a lüzum-u muhakeme decision instead. Such decisions are final and not subject to further appeal.

It should be noted that a men-i muhakeme decision is not an absolute ruling. If new evidence emerges indicating that the offense was indeed committed, a new investigation may be initiated, and a different decision may be reached.

### **\*Decision of No Prosecution**

The decision-making boards may issue a decision of no prosecution in cases such as the suspect's death, the declaration of a general amnesty, statute of limitations, or in offenses

dependent on a complaint when the complainant fails to submit a petition within six months or withdraws the complaint before a decision is made.

In such cases, the provisions of the Turkish Penal Code (TCK) applicable to these situations are specified. These decisions are also subject to review by a higher board, and the final decision is issued by the higher board.

Decisions of no prosecution must be notified to the complainant.

#### **\* Decision That No Decision Is Necessary**

Under Law No. 4483 and the Criminal Procedure Code (CMK), it is not possible to find a type of decision corresponding to “decision that no decision is necessary.” This type of decision has emerged as a result of practical application. It is issued in situations where the act under investigation does not constitute a crime, where the act requires only a disciplinary investigation, where it is unrelated to official duties or occurred outside the scope of duties, where it is compensable in nature, where it could be the subject of an administrative or civil case, where no criminal offense arises under Article 53 of Law No. 2547 during or as a result of the duties performed, or where a final decision has previously been issued on the same matter. This decision is also subject to review by a higher board, which issues the final ruling. The decision is notified to the complainant.

The return of a file is a type of decision issued by second-level decision boards. Files are returned when the investigation order is not properly issued, when the investigation should have included other suspects, when the statements of the suspect or witnesses are not taken or not taken properly, when the investigation is incomplete, when the offense requires expert examination but no expert report has been prepared, when the investigation is conducted contrary to laws and procedures, when the decision boards are not properly constituted, do not convene, or issue a procedurally incorrect decision, when there are deficiencies in the decision, when dissenting opinions are not recorded in majority vote decisions, when signatures are missing, when the investigator participates as a member of the decision board, when written notifications required by law are not issued, or when the file is mistakenly sent to an unauthorized or incompetent board.

When a file is returned, depending on the nature of the deficiency, the decision may sometimes be overturned and returned. In such cases, the decisions are final and cannot be appealed. Once the deficiencies indicated in the overturned decision are corrected, a new decision regarding the suspect is issued and the necessary notifications are repeated.

#### **\*Jurisdiction**

Trials for members and chairpersons of the Higher Education Council and the Higher Education Supervisory Board, for whom a lüzum-u muhakeme decision has become final, are conducted in the relevant criminal chamber of the Court of Cassation (Yargıtay). Appeals are reviewed by the General Criminal Assembly of the Court of Cassation. Trials of other personnel are conducted in the courts where the offense was committed, and appeals are reviewed by the relevant criminal chamber of the Court of Cassation.

## **SECTION V**

### **SUSPENSION FROM DUTY (2547/53-b)**

Suspension from duty is a precautionary measure taken when it is deemed necessary for the proper execution of public service in state or foundation higher education institutions. It applies to senior administrators of higher education institutions, academic staff, civil servants, and other personnel whose continued presence in their position is considered objectionable.

A three-month suspension can be imposed at any stage of a disciplinary or criminal investigation. Investigators conducting the inquiry may propose the suspension. If the reasons for the measure persist at the end of this period, the suspension may be extended for an additional three-month period as necessary.

The authority to impose suspension from duty lies with the Presidents of Higher Education Supreme Bodies and the appointing authorities in state higher education institutions, while in foundation higher education institutions, it rests with the rectors, and in independent foundation vocational schools, with the directors.

The Higher Education General Assembly decides upon the recommendation of the disciplinary authority whether to suspend rectors, directors of independent foundation vocational schools, and deans. Suspension decisions are communicated to the appointing authorities.

A formal investigation must be initiated within ten business days following the suspension of an individual from duty.

Authorities who fail to initiate an investigation within the required period after imposing a suspension, do not lift the suspension when its termination is necessary, or impose suspension arbitrarily or with malicious intent shall be subject to legal, financial, and criminal liability.

Suspended individuals continue to benefit from the social rights and benefits provided by law. However, they receive only two-thirds of their salary or wages during the suspension period.

In cases where reinstatement is mandatory, the withheld one-third of their salary or wages is paid to them. For employees of state higher education institutions, the period spent under suspension is considered in their step progression within their grade. If this period exceeds the minimum waiting time required for a promotion, it is also considered for their advancement to the next grade and academic promotion.

Except in cases where dismissal from public service is recommended as a result of the investigation, the suspension measure must be immediately lifted by the authority that imposed it.

If, following a suspension, the competent authority or body imposes a disciplinary penalty other than dismissal from public service, or if the disciplinary investigation is terminated due to amnesty before a criminal verdict is issued, the individual must be reinstated immediately upon the finalization of these decisions or the expiration of the suspension period.

If the individual's presence in their position does not obstruct the investigation, the suspension measure may be lifted before the end of its term.

## **SECTION VI**

### **STATUTE OF LIMITATIONS (2547/53-C)**

If a disciplinary investigation is not initiated within the following time frames from the date the act or behavior requiring disciplinary action is learned:

- In the cases of warning, reprimand, deduction from salary or wages, suspension of step progression, or multiple deductions from salary within one month,
- In the case of dismissal from the university teaching profession and dismissal from public service within six months,

If a disciplinary investigation is not initiated, a disciplinary investigation cannot be opened.

Disciplinary penalties cannot be imposed if two years have passed since the commission of acts that would require a disciplinary penalty or six years have passed in the case of acts that would warrant dismissal from the university teaching profession.

If a scientific work is used in academic appointments and promotions, or is partially or fully republished, the statute of limitations mentioned in the second paragraph will begin to run again.

If a disciplinary penalty is annulled by a judicial decision, the remaining statute of limitations for the disciplinary penalty will apply from the date the decision is received by the administration. If the statute of limitations has expired or less than three months remain, a new disciplinary penalty may be imposed within three months, taking into account the reasoning for the decision.

## **SECTION VII**

### **AUTHORITY TO IMPOSE DISCIPLINARY PENALTIES (2547/53-Ç)**

Authorities and committees authorized to impose disciplinary penalties are as follows:

- a. Warnings and reprimands are issued by the hierarchical disciplinary superiors, and for rectors, they are issued by the President of the Council of Higher Education.
- b. Salary deductions and suspension of grade advancement penalties are issued based on the decision of the disciplinary committee of the unit where the individual is employed.
- c. The Higher Disciplinary Board decides dismissal from the university teaching profession and public service upon the recommendation of the appointing authority.
- d. The Higher Disciplinary Board decides on salary deductions, suspension of grade advancement, dismissal from the university teaching profession, and dismissal from public service for rectors and deans.

The authorities authorized to impose disciplinary penalties may return the file for the purpose of addressing deficiencies if they determine that there are shortcomings in the investigation. They can impose the disciplinary penalty proposed by the investigator, reduce it, or reject it. If the proposed penalty is rejected, the relevant disciplinary authority or disciplinary board may take new action in accordance with the reasons for the rejection, within a maximum of three months.

The authority to impose disciplinary penalties is non-transferable.

A penalty within the authority of the disciplinary officer should not be imposed by the disciplinary board, and a penalty within the authority of the disciplinary board should not be imposed by the disciplinary officer. For faculty, institute, and vocational school staff, disciplinary penalties should be proposed to the rector, and the dean/director or secretaries should impose the penalty in the capacity of the disciplinary officer. Individuals or bodies outside those authorized by law to impose disciplinary penalties (e.g., director, coordinator, department board) cannot impose disciplinary penalties. These individuals must report any offense subject to a disciplinary investigation to the disciplinary officer as soon as possible.

If deemed necessary, disciplinary boards are authorized to review the personal files and all related documents, obtain information from relevant sources, conduct necessary investigations, listen to sworn witnesses and experts (or have them heard by proxy), and perform or order inspections.

## **SECTION VIII**

### **FUNDAMENTAL PRINCIPLES IN IMPOSING DISCIPLINARY PENALTIES**

#### **(2547/53-D)**

No more than one disciplinary penalty can be imposed for the same act. If the act constitutes multiple disciplinary offenses, the disciplinary penalty corresponding to the most severe punishment will be imposed.

If the act that caused the disciplinary penalty is repeated within the prescribed period for removal from the personnel file, a penalty one degree heavier will be applied. For example, the act of “failing to mention the individuals, institutions, or organizations that provided support for research published as a result of research conducted with external assistance” is considered an act requiring a warning according to Article 53(b)(1)(c) of Law No. 2547. If this act is committed for the second time, a penalty one degree heavier, such as a reprimand, will be applied. The penalty does not increase incrementally for each repetition; instead, a more severe penalty is imposed. If the same act is committed for the third time, the reprimand will be applied again, and it cannot be escalated to a higher penalty. The periods for removing disciplinary penalties from personnel files are specified in Article 53/G of Law No. 2547. After these periods expire, any disciplinary penalty cannot be counted as a repetition.

The penalty imposed for repetition must have become final after the objection period expires or the objection is rejected.

If a disciplinary penalty is imposed for separate acts that require the same level of penalty, a one-degree heavier penalty will be applied upon the third occurrence. Disciplinary penalties pardoned by law or those resulting from repetition leading to a more severe penalty cannot be counted as repetition. For instance, in the earlier example where “failing to mention supporting individuals, institutions, or organizations in a publication” would result in a reprimand if committed again, a person who later commits an act in accordance with Article 53(b)(2) of Law No. 2547, which also requires a reprimand, will not be subject to a more severe penalty due to repetition.

If the individual’s past work is positive or has received awards or certificates of achievement, a penalty of one degree lighter may be applied.

In the investigation report, the evaluation must be made in accordance with Article 53/D of Law No. 2547, and if a penalty reduction is not recommended, the reason must be stated. For example, if the investigation report concludes that the penalty for the act is a reduction in salary, and a reduction is foreseen due to good behavior, then the file will be reviewed by the disciplinary board. The disciplinary board will decide on the reprimand penalty based on the individual's good behavior. However, if the penalty is aggravated due to repetition, the authority for the penalty is based on the penalty for repetition, not the original penalty. For instance, while the reprimand is imposed by the disciplinary officer, the penalty for salary deduction due to the repetition of a reprimand will be imposed by the disciplinary board, as the disciplinary officer does not have the authority to impose a salary deduction.

For acts similar to those listed in this law that require disciplinary penalties, disciplinary penalties of the same type are imposed, with the type of act being specified.

If the penalty for stopping the progression of the career due to being at the last level of the first degree cannot be applied, a salary deduction penalty between one-quarter and one-half of the gross salary is applied. In case of repetition, the relevant disciplinary board may impose dismissal from public office.

Disciplinary penalties, once imposed, are implemented starting from the first day of the following month, except for salary deductions, suspension of career progressions, or multiple salary deductions, which are implemented starting from the beginning of the month following the date of the penalty.

Those who have received a salary deduction penalty cannot be appointed to positions such as rector, dean, institute director, school director, vocational school director, director, chair of a sub-department, or equivalent and higher positions for five years. Those who have received a penalty of suspension of career progression cannot be appointed to such positions for ten years. If individuals holding these positions receive such penalties, their duties automatically terminate, and the situation must be reported to the relevant authorities immediately.

## **SECTION IX**

### **COMPOSITION OF DISCIPLINARY COMMITTEES (2547/53-E)**

The High Disciplinary Board is the Higher Education Council.

The university disciplinary board is the university's governing board. The management boards of units affiliated with the university act as disciplinary boards. In the disciplinary boards of units affiliated with the rectorate, the board for academic staff and those in positions equivalent to or higher than director is composed of four professors, appointed annually by the university governing board at the beginning of each calendar year, under the chairmanship of the vice-rector. For administrative staff, the board is chaired by the General Secretary, with the participation of the Legal Advisor and the Personnel Director.

For the Higher Education Council personnel, the disciplinary board is chaired by the General Secretary, with members from the Legal Advisor and the Heads of the Personnel, Strategy Development, and Administrative and Financial Affairs Departments.

For the personnel of the Inter-University Board, the disciplinary board consists of the General Secretary, the Assistant General Secretary, and the Legal Advisor.



Except for the High Disciplinary Board, in disciplinary boards, professors are not allowed to participate in discussions concerning issues related to them, associate professors are excluded from discussions on matters related to associate professors, and members are excluded from discussing issues concerning themselves.

Those involved in the investigation are not allowed to participate in votes in disciplinary boards, and those who have made decisions regarding disciplinary penalties cannot participate in votes when objections to those decisions are discussed.

If the disciplinary board cannot be formed for any reason, the Senate will appoint the missing members from faculty members with equivalent titles.

## **SECTION X NOTIFICATION OF PENALTIES AND APPEALS**

### **1- Notification of Decisions to the Concerned Party**

The penalties imposed by authorized superiors and disciplinary committees must be notified to the concerned parties within ten days after their signatures have been completed.

The penalty notification should clearly state the subject of the investigation and the penalty imposed. Additionally, the appeal procedure and deadline for the penalty should be clearly mentioned. To ensure the appeal period is accurately calculated, the recipient must sign the penalty notifications, and the notification date should be clearly recorded.

### **2- Appeal (2547/53-F)**

Appeals against disciplinary penalties can be made to the following authorities and committees: (2547/53-F)

- a. Appeals against warnings and reprimands can be made to the disciplinary committee of the relevant unit, to the university disciplinary committee for warnings and reprimands imposed by the rector, and to the High Disciplinary Committee for rectors and independent vocational school directors. The disciplinary authority that imposed the penalty cannot participate in the disciplinary committees. In this case, the highest-ranking faculty member, or the most senior member, if there are multiple members with the same rank, or if there are no faculty members, the most senior lecturer will chair the committee.
- b. Appeals against penalties such as salary deductions and suspension of promotion can be made to the disciplinary committee of the relevant university, and to the High Disciplinary Committee for staff working in higher education institutions.

The appeal period is seven days from the date of notification.

The appeal authorities will make a decision within sixty days of receiving the appeal.

The appeal authorities can either accept or reject the appeal. If the appeal is accepted, the penalty is entirely lifted. However, the relevant disciplinary authority or disciplinary committee may take new action within three months, in line with the reasoning for the acceptance.

## Schedule of Disciplinary Investigations According to Law No. 2547

<b>STATUS</b>	<b>TITLE</b>	<b>PUNISHMENT</b>	<b>AUTHORITY AUTHORIZED TO IMPOSE THE PENALTY</b>	<b>APPEAL AUTHORITY</b>
Academic	Dean	Warning-Reprimand	<b>Rector</b>	<b>University Board of Directors</b>
Academic	Dean	Deduction from Monthly Wages-Stopping Progression/Multiple Wage Deductions-Dismissal from University Teaching Profession	<b>High Disciplinary Board</b>	
Academic	Professor, Associate Professor, Assistant Professor, Lecturer, Research Assistant	Warning-Reprimand	<b>The disciplinary officer in the faculty where he/she works</b>	<b>Faculty Disciplinary Board</b>
Academic	Professor, Associate Professor, Assistant Professor, Lecturer, Research Assistant	Deduction from Monthly Wages-Stopping Progression/Multiple Wage Deductions	<b>Faculty/University Disciplinary Board</b>	<b>University Board of Directors</b>
Academic	Professor, Associate Professor, Assistant Professor, Lecturer, Research Assistant	Dismissal in the University Teaching Profession	<b>High Disciplinary Board</b>	
Administrative	Faculty/College/Institute Secretary	Warning-Reprimand	<b>Faculty Disciplinary Officer</b>	<b>Faculty Disciplinary Board</b>
Administrative	Faculty/College/Institute Secretary	Deduction from Monthly Wages-Stopping Progression/Multiple Wage Deductions	<b>Faculty Disciplinary Board</b>	<b>University Board of Directors</b>
Administrative	Administrative Staff	Warning-Reprimand	<b>Upon the proposal of the Secretary General, the Rector</b>	<b>University Board of Directors</b>
Administrative	Administrative Staff	Deduction from Monthly Wages-Stopping Progression/Multiple Wage Deductions	<b>University Board of Directors</b>	
Student	Student	Reprimand-suspension from 1 week to 1 month	<b>Disciplinary Officer</b>	<b>University Board of Directors</b>
Student	Student	Suspension for 1-2 semesters	<b>Faculty Disciplinary Board</b>	<b>University Board of Directors</b>
Student	Student	Common Areas	<b>Rector</b>	<b>University Board of Directors</b>

## **SECTION XI**

### **RECORD KEEPING AND STORAGE IN PERSONNEL FILES**

#### **1- Record Keeping and Reporting Penalties to Units**

All disciplinary investigations (whether a penalty is imposed or not) are recorded in separate pages of a register, which has pre-numbered pages, and the page count is documented. The progress of the investigation is written in this register. If an investigation is opened for multiple people with a single case, the investigation is recorded on a single page of the register. Every dean's office, institute, and higher education school has a disciplinary investigation register where investigations opened in that unit are recorded.

In deanships, institutes, and higher education schools, every investigation is reported to the General Secretariat with the "Personnel Discipline Investigation Information Form." The register maintained by the General Secretariat records investigations opened by the General Secretary and Rector, as well as those reported by the units with the Personnel Discipline Investigation Information Form.

All disciplinary penalties imposed are notified to the higher disciplinary authority and the Personnel Department. The Personnel Department also reports the penalty of dismissal from the university teaching profession to all higher education institutions. The Personnel Department enters the penalties into the information system (YÖKSİS).

#### **2- Storage in Personnel Files (2547/53-G)**

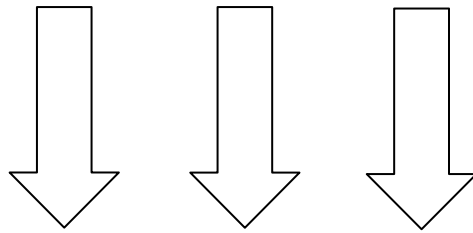
Disciplinary penalties are kept in the personnel files of the concerned parties.

Warnings and reprimands may be removed from the personnel file five years after their application. Penalties such as salary cuts and suspension of promotion can be removed ten years after their application, if a request is made to the appointing authority and the behavior of the individual during these periods justifies the request.

#### **3- Correspondence Format**

All correspondence with individuals should be sent by registered mail. If documents are handed over in person, a signed acknowledgment must be kept in the file. For other matters, the provisions of Law No. 7201 on Notifications shall apply. If notifications are made using the ledger, the notification date must be recorded in the ledger, and a copy of the relevant page of the ledger should be added to the investigation file.

## CORRESPONDENCE EXAMPLES



**Note:** The italicized text in the correspondence examples represents explanations, examples, and alternative wording. When composing correspondence, the italicized parts should be removed, and the text should be adjusted to suit the specific situation.

**REVIEWER APPOINTMENT LETTER SAMPLE**

T.R. HALIÇ UNIVERSITY RECTORATE  
Dean's Office/Directorate of ..... Faculty

Number:  
Subject: Review

15.12.2024

Dear .....  
*(Reviewer's Name is Written)*

..... Faculty ..... Department ..... The minutes submitted to the relevant Directorate regarding this matter are attached.

It has been deemed appropriate for you to be assigned to conduct the necessary investigation regarding the incident that is the subject of the minutes.

Conducting the relevant review and evaluation and submitting it to our deanery/directorate by ..... (date must be written),

I kindly request your information and necessary action.

.....  
Dean

**Additional:**

1- Petitions (.. Page)

2- ..... Minutes (.. Page)

## **INSPECTION REPORT EXAMPLE**

### **T.R. HALIC UNIVERSITY INSPECTION REPORT**

**1. REVIEW ORDER:** Examination order of the Dean's Office of the Faculty of ..... dated 05.12.2024 and numbered .....

#### **2. SUBJECT OF THE REVIEW:**

Students who took the course named ..... with the code ..... filed a petition stating that both the theoretical and practical parts of the relevant course were incomplete according to the curriculum and that they could not complete their education process.

Due to the abovementioned situation, an investigation has been initiated by the Dean's Office of the Faculty of .....

#### **3. REVIEW:**

- i. I was assigned to investigate the situation with the review order dated 05.12.2024 and numbered... of the Dean's Office of the Faculty of ..... (Appendix ...)
- ii. Lecturer responsible for the theoretical part of the course. See. .... was requested to explain the issue in writing. (Appendix...)
- iii. Lecturer responsible for the practical part of the course. See. .... was requested to explain the issue in writing. (Appendix...)
- iv. By lecturer .....; It was stated that the theoretical part of the course was taught without any problems until the date of the complaint. (Appendix...)
- v. Lecturer responsible for the practical part of the course. See. ...., Lecturer who is responsible for the theoretical part of the course. See. He stated that they are in contact with ....., and the issues are progressing simultaneously. (Appendix...)
- vi. Lecturer who teaches the theoretical part of the course. See. Hourly attendance of the course was requested from ..... (Appendix...) No deficiencies were observed in the submitted attendance.
- vii. Lecturer who teaches the practical part of the course. See. Hourly attendance of the course was requested from ..... (Appendix...). When the submitted attendance was checked, a 6-hour deficiency was observed, and it was observed that this 6-hour deficiency corresponded to 2 days of classes.
- viii. In the meeting with the students, the students said: See. .... They asked whether the missing hours in the application part would be made up or not, and the teacher stated that the lessons corresponding to the missing hours could not be practiced. In the examination; It has been determined that the courses corresponding to the missing hours are feasible to implement (Appendix...).

#### **4. EVALUATION:**

It has been learned that ..... is a course taught theoretically and practically.

It has been determined that there are no problems in the theoretical part of the course. It was determined that there was a 6-hour gap in the practical part of the course. Due to this situation, students claim that education is disrupted.

The investigation started upon the students' complaints. The course instructor did not make up for the 6-hour practice course, and the students were told that the 6-hour subject covered in the theoretical part was not suitable for practice. The review confirmed the feasibility of implementing the remaining part of the course.

In order to prevent these situations from occurring in the future,

- i.
- ii.

**I think that taking such measures would be sufficient.**

**5. CONCLUSION AND PROPOSAL:** Lecturer. See. .... and Lecturer. See. When the weekly course schedules of ..... were observed (Appendix ...), it was observed that there was a 6-hour deficiency in the practical part, but there was no deficiency in the theoretical part. In this case, a situation occurred in which students were victimized. For this reason, the students were found justified in their complaints.

10.12.2024

Prepared the Examination Report

Prof. ....

**DISCIPLINARY INVESTIGATION SERIES COMPASS**

<b>DISCIPLINARY INVESTIGATION SERIES COMPASS</b>		
<b>No.</b>	<b>TITLE</b>	<b>DATE/NUMBER</b>
1	A letter stating that a disciplinary offense has been committed	
2	Investigator appointment letter from the disciplinary chief	
3	Disciplinary investigation commission meeting minutes	
4	Appointment letter from the disciplinary chief/chairman of the investigation commission (if any)	
5	In cases where it is deemed necessary, the following shall be taken by the Disciplinary Officer for the safety of the investigation: a) temporary suspension decision, b) document of notification of the decision to the person.	
6	The investigator's request letter for defense to the "Relevant Person" and the notification-receipt document indicating that the invitation letter was received by the relevant person.	
7	If there is a witness, a letter of invitation to testify and a notification-receipt document showing that the invitation letter was received by the witness.	
8	Defense letter of the person concerned	
9	If there are witnesses, a record of the witness statement	
10	Disciplinary status letter of the investigator requested from the Human Resources Directorate	
11	Letter from the Human Resources Directorate regarding disciplinary status	
12	The investigator's letter requesting additional time, if any	
13	Disciplinary investigation report	
14	Invitation letter to the final defense	
15	Final defense statement	
16	Letter of submission of disciplinary punishment to the Rectorate	
17	Notification letter of the disciplinary penalty to the Human Resources Directorate	
18	A printout of the e-mail sent to the personnel to receive the notification letter regarding the disciplinary penalty to be included in the investigation file and a notification-receipt document showing that the penalty notification letter received by the personnel in person has been received.	
19	Delivery of the completed disciplinary investigation along with the cover letter to the disciplinary officer (Rector, Dean, Director of the School, Director of the Institute)	



**ASSIGNMENT LETTER FOR INVESTIGATOR**

**Dear .....**  
(Name of the Investigator)

A disciplinary investigation has been initiated against ....., who works at ....., for allegedly ..... *(failing to report to work for three days on January 2, 3, and 4, 2024)*, in accordance with Articles 53 et seq. of Law No. 2547 on Higher Education. It has been decided that the committee mentioned below will conduct the investigation.

I request that the necessary disciplinary investigation be conducted and the report be sent to the ..... Office within 30 days.

.....  
*(Disciplinary Supervisor)*

**Investigation Committee:**

- 1-..... (Chair)
- 2-..... (Member)
- 3- ..... (Member)

**Note:** The relevant documents (attached with a list of contents) have been sent to the Committee Chair.

**REQUEST FOR ASSIGNING INVESTIGATORS FROM OTHER UNITS**

**TO THE RECTOR'S OFFICE**

A disciplinary investigation has been initiated against one of our faculty members, ....., for allegedly ..... (failing to report to work for three days on January 2, 3, and 4, 2024), in accordance with Articles 53 et seq. of Law No. 2547 on Higher Education. Due to ..... (the necessity for an objective investigation), we kindly request that ..... (the individuals listed below) (or individuals from outside our Faculty deemed appropriate by your office) be assigned as investigators.

.....  
(Disciplinary Supervisor)

**Investigation Committee:**

- 1- ..... (Chair) (..... Faculty)
- 2- ..... (Member) (..... Faculty)
- 3- ..... (Member) (..... Faculty)

APPROVED  
.../.../.....

**MEETING MINUTES EXAMPLE**

**MEETING MINUTES**  
*(The Commission of Inquiry will hold)*

Place : .....  
History : .....  
Time : .....

It was gathered at the place and time specified above. The documents in the file were examined.

- ..... is invited to make his defense, his defense is to be picked up in his/her room at ..... on .....,

- The Personnel Department should be asked whether the person being investigated has received any disciplinary punishment before and whether he has an award or certificate of achievement,

- Hearing witnesses who have knowledge about the subject,

The decision has been made.

.....

Commission President  
Name-Surname  
Signature

.....

Member  
Name-Surname  
Signature

.....

Member  
Name-Surname  
Signature

**SAMPLE OF RESTRAINING ORDER OBTAINED FOR THE SAFETY OF THE INVESTIGATION**

**Dear .....**

*(Name of the Accused)*

A disciplinary investigation has been initiated against you for allegedly ..... (failing to report to work for three days on January 2, 3, and 4, 2024), as per the letter dated ..... and numbered ..... from the Authority, in accordance with Articles 53 et seq. of Law No. 2547 on Higher Education. Our Committee has been assigned to conduct this investigation.

Considering the act that is the subject of the investigation against you, it has been decided that you will be temporarily suspended from the Haliç University Alibeyköy Campus between the dates ..... - ..... in order to ensure the safety and sound conduct of the investigation.

.....

Disciplinary Officer/Commission Chair

Name-Surname

Signature

**DISTRIBUTION LOCATIONS:**

1. Human Resources Directorate
2. Directorate of Purchasing and Administrative Affairs (For Security)

**EXAMPLE OF EXTRA TIME REQUEST**

..... **TO YOUR OFFICE**

(To be written to the disciplinary chief who opened the investigation)

Interest: Please write the date and number of .....

With your letter of interest, our faculty staff ..... Our Commission, which was assigned to conduct the disciplinary investigation against ..... and prepare a report, will not be able to complete the investigation on time due to ..... For this reason, our Commission needed additional time (15 days, 30 days, etc.).

For the reasons explained above, I submit to your approval that our Commission be given additional time.

.....  
Commission President  
Name-Surname  
Signature

**NOTICE OF DEFENSE INVITATION**

**Dear .....**

*(Name of the Accused)*

A disciplinary investigation has been initiated against you for allegedly ..... (failing to report to work for three days on January 2, 3, and 4, 2024), as per the letter dated ..... and numbered ..... from the Authority, in accordance with Articles 53 et seq. of Law No. 2547 on Higher Education. Our Committee has been assigned to conduct this investigation.

You are requested to present your defense regarding the allegations by appearing in person on ..... at ..... in the office or by submitting your written defense to our Committee by the same date. Otherwise, it will be considered that you have waived your right to defense, and the evaluation will be made based on the existing evidence in the file.

.....

Commission President

Name-Surname

Signature

**Committee Members:**

1- ..... (Commission President)

2- ..... (Member)

3- ..... (Member)

**NOTIFICATION-NOTIFICATION CERTIFICATE**

**Name/Surname of the notified academic/administrative staff :**

**Date and number of the notified letter, approval or decision :**

**Subject of the notification :**

**Date of notification :**

**NOTIFIER:**

**Signature :**

**Name and Surname :**

**Title :**

**RECIPIENT:**

**Signature :**

**Name and Surname :**

**Title :**

**SAMPLE CALL FOR WITNESS TESTIMONIAL**

Dear .....

A disciplinary investigation has been initiated under Article 53 of Higher Education Law No. 2547, pursuant to a letter dated ..... by the ..... Office of ....., against ....., based on the allegation that ..... (The allegations subject to the investigation are clearly stated.), and our Commission has been assigned to conduct the investigation.

Your testimony as a witness in this matter is required. I kindly request your presence at ..... on ....., at ....., in the ..... room, for your information and necessary action.

.....  
Commission President  
Name-Surname  
Signature

**Committee Members:**

- 1-..... (Commission President)
- 2- ..... (Member)
- 3- ..... (Member)



**NOTIFICATION – NOTIFICATION CERTIFICATE**

**Name/Surname of the notified academic/administrative staff :**

**Date and number of the notified letter, approval or decision :**

**Subject of the notification :**

**Date of notification :**

**NOTIFIER:**

**Signature :**

**Name and Surname :**

**Title :**

**RECIPIENT:**

**Signature :**

**Name and Surname :**

**Title :**

**SAMPLE OF INVITATION LETTER TO DEFENSE FOR PERSONNEL WHO HAS LEAVED THE ORGANIZATION**

**Dear .....**

*(Name of the Accused)*

A disciplinary investigation has been initiated against you for allegedly ..... (failing to report to work for three days on January 2, 3, and 4, 2024), as per the letter dated ..... and numbered ..... from the Authority, in accordance with Articles 53 et seq. of Law No. 2547 on Higher Education. Our Committee has been assigned to conduct this investigation.

Your written defense regarding the allegations ..... I hereby inform you that you must submit it to our Commission by the deadline. Otherwise, you will be deemed to have waived your right to defense, and an evaluation will be made based on the evidence available in the file.

.....  
Commission President  
Name-Surname  
Signature

**Committee Members:**

- 1-..... (Commission President)
- 2- ..... (Member)
- 3- ..... (Member)

**IMPORTANT NOTE:**

- *In order to receive the defense of the personnel who has left the institution, a **LETTER OF INVITATION TO DEFENSE** is sent to the person's last known address (Workplace/Yöksis/Mernis) via the Rector's Office, **WITH RETURNABLE COMMITMENT**.*
- *For the file sent via registered mail, a **DELIVERY RECEIVED** document must be included in the file.*

## **DEFENSE REPORT EXAMPLE**

### **DEFENSE MINUTES**

Location: .....  
Date: .....  
Subject: Taking the defense.  
Clerk: ..... (Clerk was sworn in, if applicable)

#### **Defendant's Information:**

Name-Surname: .....  
Father's Name: .....  
Date of Birth: .....  
Position: .....

Question 1: ..... (Example: It is alleged that you failed to report to work for three days on January 2, 3, and 4, 2024). A disciplinary investigation has been initiated against you under Articles 53 et seq. of Law No. 2547 on Higher Education. What is your defense regarding the allegation?

Answer 1: .....

Question 2: .....

Answer 2: .....

.....

Question ...: Do you have anything else to add regarding the incident?

Answer ...: .....

.....  
(Investigators)  
Name-Surname  
Signature

.....  
(Clerk)  
Name-Surname  
Signature

.....  
(Person Under Investigation)  
Name-Surname  
Signature

- *The investigator should ask the person being investigated whether he or she “regrets the action”.*

**WITNESS STATEMENT FORM**

**WITNESS INFORMATION**

**Full Name:**

**ID Number:**

**Position/Title:**

**Department / Unit:**

**Address:**

**Place of Statement:**

**Date of Statement: .../.../20...**

Under the scope of the investigation approval of ... authority, dated ... and numbered ..., the individual whose identity is stated above, ....., was informed about the allegations covered by the investigation and questioned in the capacity of a witness:

**QUESTION 1:** .....

**ANSWER 1:** .....

**QUESTION 2:** .....

**ANSWER 2:** .....

The witness was asked if they had any additional matters to state. As they answered “None,” the statement was read back to them. Since there were no further questions, the statement was signed by all parties present.

STATEMENT TAKEN BY  
Investigator

.....

RECORDED BY  
Clerk

.....

WITNESS  
Witness

.....

**PERSONNEL INFORMATION REQUEST EXAMPLE**

**TO THE HUMAN RESOURCES DIRECTORATE**

..... Office of ..... With the letter dated ..... and numbered ....., I have been assigned as an investigator in the disciplinary investigation opened against our University staff .....

I request/request that .....’s file be examined and the award and achievement certificates and any previous disciplinary punishments received, if any, be reported to our Commission.

.....

Chairman of the Investigation Commission

Name-Surname

Signature

## **SAMPLE DISCIPLINARY INVESTIGATION REPORT**

### **DISCIPLINARY INVESTIGATION REPORT**

**Letter to Open an Investigation:** Letter from ..... Authority dated .....

**Investigation Start Date:** ..... (notification date of the assignment letter to the person being investigated)

**Investigated:** ..... (Name-Surname)

..... (job-title)

**Investigation Subject:** ..... (Example: not coming to work on 02,03 and 04 January 2024 (three days))

**Date of the Act Investigated:** .....

#### **Review and Investigation:**

- *The stages of the investigation and the actions taken within the scope of the investigation are written down.*
- *Evidence is written.*
- *A summary of the defense received and the statements of witnesses, if heard, is written.*

#### **Analysis of the Incident and Opinion:**

- *Each crime article is analyzed separately, and it is evaluated whether the crime is proven according to the evidence and which crime specified in the Law was committed with which act (which crime specified in which paragraph of the relevant article of Law No. 2547 or 657 was committed). If more than one person is being investigated, this evaluation is made separately for each person being investigated.*
- *The penalty to be applied is proposed. When proposing the penalty to be applied, the proposal whether a reduction will be applied or not according to Article 53/D of Law No. 2547 is stated together with the reasons.*

#### **Conclusion and Recommendation:**

- ***“Was it recommended in the investigation file to apply a good behavior discount for the student? What is the reason for the recommendation and the scope of the reduced penalty?”***
- ***If a good behavior discount is not applied to the student in the investigation file, a text explaining the reason is written.***
- *The crime committed and the recommended punishment are written.*

.....  
President  
Name-Surname  
Signature

.....  
Member  
Name-Surname  
Signature

.....  
Member  
Name-Surname  
Signature

**APPENDIX:** The investigation file is attached to the serial compass.

**SUBMISSION OF REPORT**

**TO THE ATTENTION OF .....**

*(Position of the Disciplinary Supervisor)*

Reference: Your letter dated ..... and numbered .....

Our Committee, which was assigned to conduct the investigation regarding ....., has completed the investigation. The Investigation Report, along with the investigation file, is hereby submitted.

Respectfully,

.....  
Chair of the Investigation Committee  
Name-Surname  
Signature

**APPENDIX:** The investigation report and investigation file are attached to the series compass.

**SAMPLE INVITATION LETTER FOR LAST DEFENSE**

(To be written by the Authority Authorized to Impose Punishment)

**Dear .....**

(Name of the person under investigation will be written)

With the approval of the Rectorate / Dean's Office / Directorate dated ..... and numbered ....., a disciplinary investigation has been initiated against you regarding the allegations of .....

In the investigation report prepared as a result of the ongoing disciplinary investigation; ..... opinion was stated and it has been suggested that you be punished with the penalty of “.....” in accordance with the provision of ....., on the grounds of ..... due to your act of .....

I kindly request that you send your written final defense regarding the issue to the Rectorate / Dean's Office / Directorate within 7 days at the latest after the date of notification of our letter, otherwise, you will be deemed to have waived your right to final defense and a decision will be made against you according to the evidence collected in the file.

.....  
(Disciplinary Chief)



**NOTICE OF DISCIPLINARY PENALTY**

**Dear .....**

*(Name of the Accused)*

As a result of the disciplinary investigation conducted against you, it has been determined that you committed the act of “.....”. This act constitutes the disciplinary offense of “.....” as specified in Article ..... (specify article/paragraph) of Law No. 2547 on Higher Education (or Law No. 657 on Civil Servants). Consequently, you are hereby penalized with “.....”. (Although it was determined that you should be penalized with “.....” for this offense, considering your lack of previous disciplinary actions and your past service, you are penalized with a lesser degree of “ ” in accordance with Article 53/D-3 of Law No. 2547.)

In accordance with the procedure outlined in Article 53/F of Law No. 2547 on Higher Education, you have the right to appeal within 7 (seven) days from the date of notification and to file a lawsuit within 60 days under the provisions of Law No. 2577 on Administrative Judicial Procedure.

Please be informed.

.....

*(Disciplinary Chief)*

**DELIVERY-NOTIFICATION REPORT OF PENALTY NOTIFICATION**

**NOTIFICATION-NOTIFICATION CERTIFICATE**

**Name/Surname of the notified academic/administrative staff :**

**Date and number of the notified letter, approval or decision :**

**Subject of the notification :**

**Date of notification :**

**NOTIFIER:**

**Signature :**

**Name and Surname :**

**Title :**

**RECIPIENT:**

**Signature :**

**Name and Surname :**

**Title :**

**NOTIFICATION OF THE PENALTY TO THE UNITS**

.....

(Unit name will be written)

In the disciplinary investigation opened against ..... working in the ..... unit, it was understood that the relevant person committed the disciplinary crime “.....” specified in the article ..... (article/paragraph to be specified) of the Higher Education Law (or the Civil Servants Law No. 657) with the act of “.....”.

.....(the name of the person punished will be written) in response to this crime, “.....” was punished with a fine. (..... should have been punished with a “.....” penalty for this crime, but considering the fact that the relevant person had not received any disciplinary punishment before and his past services, he was punished with a milder “.....” penalty in accordance with Article 53/D-3 of the Higher Education Law No. 2547.)

I kindly submit/request for your information.

.....

*(Disciplinary Chief)*

**DISTRIBUTION:**

- 1- ..... (to the senior disciplinary supervisor)
- 2- To the Human Resources Directorate

**NOTICE OF APPEAL DECISION**

**Dear .....**

*(Name of the Accused)*

Reference:

- a) Our disciplinary penalty notification letter dated ..... and numbered .....
- b) Your appeal petition dated .....

You have appealed against the disciplinary penalty of ..... imposed on you, as communicated in the reference “a.”

Your appeal has been rejected by the Disciplinary Board’s decision dated .....

*(Your appeal has been accepted by the Disciplinary Board’s decision dated ..... In accordance with the last paragraph of Article 53/F of Law No. 2547 on Higher Education, the penalty has been re-evaluated, and the following penalty has been imposed on you: .....)*

*You have the right to object to the disciplinary board against the penalty given within 7 (seven) days from the date of notification, in accordance with the procedure stipulated in Article 53/F of the Higher Education Law No. 2547, and to file a lawsuit within 60 days in accordance with the provisions of the Administrative Procedure Law No. 2577.)*

Please be informed.

.....  
*(Disciplinary Chief)*

**Enclosure:** Disciplinary Board Decision

**NOTIFICATION OF THE OBJECTION RESULT TO THE UNITS**

*(If there has been a change in the penalty)*

.....  
(Unit name will be written)

Relevance: Our disciplinary penalty notification letter dated ..... and numbered .....

The disciplinary penalty imposed as a result of the disciplinary investigation opened against ..... , who worked in the ..... unit, was notified in writing.

Following the objection of the person concerned to the disciplinary penalty imposed, the Haliç University Disciplinary Board decided to accept your objection with its decision dated ..... As a result of the re-evaluation in accordance with the last paragraph of Article 53/F of the Higher Education Law No. 2547, the ..... given with the relevant letter. It has been decided that the disciplinary penalty will be lifted, and you will be punished with ..... penalty.

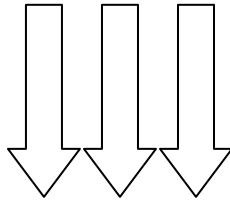
I kindly submit/request for your information.

.....  
(Disciplinary Chief)

**DISTRIBUTION:**

- Units where the first penalty was reported

## CRIMINAL INVESTIGATION CORRESPONDENCE EXAMPLES



**NOTE:** The italicized texts in the correspondence examples indicate explanations, samples, and alternative wordings. When drafting correspondence, the italicized parts must be removed, and the text should be adjusted to fit the specific circumstances.

## **EXAMPLE OF INVESTIGATOR APPOINTMENT LETTER**

### **TO THE DISTRIBUTION LIST**

Due to (specify the action or allegation), it has been deemed appropriate to initiate an investigation regarding (state the title and name of the person(s) under investigation; if the suspect is unknown, use “responsible parties to be determined”) and to appoint you as an investigator, together with the faculty members listed below, to conduct the said investigation.

For your information, I kindly request that a criminal investigation be carried out by your commission regarding (name/surname of the suspect or “responsible parties to be determined”) in accordance with Article 53/c of Law No. 2547, and that the resulting report and file be forwarded upon completion.

.....  
Rector

#### **Investigation Committee:**

- 1- ..... (Chair)
- 2- ..... (Member)
- 3- ..... (Member)

**EXAMPLE OF WITNESS SUMMONS LETTER**

**(Date)**

**Dear (Witness Name/Surname)**

**Authority Initiating the Investigation** :

**Investigation Order Date/Number** :

**Subject of the Investigation** :

**Name/Surname of the Suspect(s)** :

**Investigators Taking the Statement** :

**Type of Investigation (Disciplinary/Criminal)** :

Within the scope of the aforementioned criminal investigation, you are kindly requested to appear as a witness at the date, time, and location specified below to provide your information.

**Investigator/Chair of the Commission**

**Date:**

**Time:**

**Location:**



**DELIVERY-NOTIFICATION REPORT OF THE CALL FOR WITNESS STATEMENT**

**NOTIFICATION-NOTIFICATION CERTIFICATE**

**Name/Surname of the notified academic/administrative staff :**

**Date and number of the notified letter, approval or decision :**

**Subject of the notification :**

**Date of notification :**

**NOTIFIER:**

**Signature :**

**Name and Surname :**

**Title :**

**RECIPIENT:**

**Signature :**

**Name and Surname :**

**Title :**

**EXAMPLE OF COMPLAINANT SUMMONS LETTER**

**(Date)**

**Dear (Complainant Name/Surname)**

**Authority Initiating the Investigation** :

**Investigation Order Date/Number** :

**Subject of the Investigation** :

**Name/Surname of the Suspect(s)** :

**Investigators Taking the Statement** :

**Type of Investigation (Disciplinary/Criminal)** :

Within the scope of the aforementioned criminal investigation, you are kindly requested to appear as the complainant at the date, time, and location specified below to provide your statement.

**Investigator**

**Date:**

**Time:**

**Location:**

**NOTIFICATION-NOTIFICATION CERTIFICATE**

**Name/Surname of the notified academic/administrative staff** :

**Date and number of the notified letter, approval or decision** :

**Subject of the notification** :

**Date of notification** :

**NOTIFIER:**

**Signature** :

**Name and Surname** :

**Title** :

**RECIPIENT:**

**Signature** :

**Name and Surname** :

**Title** :

**EXAMPLE OF SUSPECT SUMMONS LETTER**

**(Date)**

**Dear (Suspect Name/Surname)**

**Authority Initiating the Investigation** :

**Investigation Order Date/Number** :

**Subject of the Investigation** :

**Alleged Offense** :

**Investigators Taking the Statement** :

**Type of Investigation (Disciplinary/Criminal)** :

In relation to the allegations made against you concerning the matter mentioned above, you are required to appear as a suspect at the date, time, and location specified below to provide your statement within the scope of the criminal investigation initiated against you and which we have been assigned to conduct.

Please be informed that failure to appear will be considered a waiver of your right to defense, and you are entitled to be accompanied by a lawyer.

**Investigator**

**Date:**

**Time:**

**Location:**

**NOTIFICATION-NOTIFICATION CERTIFICATE**

**Name/Surname of the notified academic/administrative staff :**

**Date and number of the notified letter, approval or decision :**

**Subject of the notification :**

**Date of notification :**

**NOTIFIER:**

**Signature :**

**Name and Surname :**

**Title :**

**RECIPIENT:**

**Signature :**

**Name and Surname :**

**Title :**

**EXAMPLE OF A WITNESS TESTIMONY RECORD**

**RECORD OF WITNESS TESTIMONY**

**Authority Initiating the Investigation** :

**Date/Number of Investigation Order** :

**Subject of the Investigation** :

**Statement Taken By** :

**Place-Date-Time of Statement** :

**Full Name of the Witness** :

**Department/Unit and Position Title** :

**Personal Information**

Father's Name :

Mother's Name :

Place of Birth :

Date of Birth :

Residential Address :

Telephone Number :

**Do you have any kinship or hostility with the parties involved in the incident?**

**Pursuant to Article 55 of the Code of Criminal Procedure, do you swear, upon your honor and conscience, to tell the truth and nothing but the truth regarding what you know? (If the witness refuses to take the oath, this shall be recorded in the minutes.)**

**QUESTIONED** :

**IN RESPONSE** :

After being informed of the subject of the investigation, the witness was reminded of the right to refrain from giving testimony.

**QUESTIONED** :

**IN RESPONSE** :

**QUESTIONED** : It was inquired whether the witness had any further statements or matters to add.

**IN RESPONSE** :

After the statement was read aloud, the witness affirmed that it was true and accurate, and it was signed in the presence of the recording officer.

**Officer Taking the Statement**

**Recording Officer**

**Statement Giver**

- If the witness refuses to give testimony, this shall be noted in the official record.

**EXAMPLE OF A COMPLAINANT TESTIMONY RECORD**

**RECORD OF COMPLAINANT TESTIMONY**

**Authority Initiating the Investigation** :

**Date/Number of Investigation Order** :

**Subject of the Investigation** :

**Statement Taken By** :

**Place-Date-Time of Statement** :

**Full Name of the Witness** :

**Department/Unit and Position Title** :

**Personal Information**

Father's Name :

Mother's Name :

Place of Birth :

Date of Birth :

Residential Address :

Telephone Number :

**Is there any familial relationship or animosity between you and the parties involved in the incident?**

**QUESTIONED** :

**IN RESPONSE** :

After being informed of the subject of the investigation, the complainant was reminded of the right to refrain from providing a statement.

**QUESTIONED** :

**IN RESPONSE** :

**QUESTIONED** : It was inquired whether the witness had any further statements or matters to add.

**IN RESPONSE** :

After the statement was read aloud, the witness affirmed that it was true and accurate, and it was signed in the presence of the recording officer.

**Officer Taking the Statement**

**Recording Officer**

**Statement Giver**

- (If the complainant abandons the complaint, it will be noted in the record.)

**EXAMPLE OF A SUSPECT TESTIMONY RECORD**

**RECORD OF SUSPECT TESTIMONY**

**Authority Initiating the Investigation** :

**Date/Number of Investigation Order** :

**Subject of the Investigation** :

**Alleged Offense** :

**Statement Taken By** :

**Place-Date-Time of Statement** :

**Full Name of the Suspect** :

**Department/Unit** :

**Position Title and Duties** :

**Personal Information**

Father's Name :

Mother's Name :

Place of Birth :

Date of Birth :

Residential Address :

Telephone Number :

**Is there any familial relationship or animosity between you and the parties involved in the incident?**

After being informed of the subject of the investigation, the suspect was reminded of the right to remain silent and the right to be assisted by a lawyer.

**QUESTIONED** :

**IN RESPONSE** :

**QUESTIONED** : It was inquired whether the witness had any further statements or matters to add.

**IN RESPONSE** :

**Officer Taking the Statement**

**Recording Officer**

**Statement Giver**

• (If the suspect refuses to sign, this shall be recorded in the minutes.)

• The suspect should not be sworn in.

• If the suspect wishes, they may be accompanied by a lawyer during the defense; however, the lawyer cannot participate in the content of the statement. The lawyer is present to witness that the statement is given without coercion.



## **EXAMPLE OF A CRIMINAL INVESTIGATION REPORT**

**Investigation Conducted By** \_\_\_\_\_ :

**Authority Issuing the Investigation Order-Date and Number:**

**Start Date of Investigation** \_\_\_\_\_ :

**End Date of Investigation** \_\_\_\_\_ :

**Approval and Duration of Extended Period** \_\_\_\_\_ :

**Identity of the Individuals Under Investigation** \_\_\_\_\_ :

**Place and Date of the Alleged Offense** \_\_\_\_\_ :

**Subject of the Investigation** \_\_\_\_\_ :

**Alleged Offenses** \_\_\_\_\_ : Phases of the Investigation: Where documents or information were obtained from other departments or institutions, the dates and subjects of such requests, along with the sequence of summonses for testimony, shall be documented chronologically.

**Evidence** \_\_\_\_\_ : Documents procured from other departments or institutions, along with the official records of statements given by summoned suspects, witnesses, and other persons, shall be documented sequentially by date.

**Explanation** \_\_\_\_\_ : The statements taken shall be condensed in a summary form, ensuring that their original meaning is preserved.

**Assessment** \_\_\_\_\_ : The establishment of the act and the existence of negligence, intent, or culpability shall be evaluated.

**Result** \_\_\_\_\_ : Suggestions concerning the appropriate sanction or punishment shall be indicated.

- *The conclusion section must state the decision regarding the necessity of prosecution, prohibition of prosecution or no prosecution.*

**All pages of the report shall be duly signed by the attending parties.**