

Munzur Üniversitesinde adrese teslim kadro ilanı

Usulsüzlükleriyle çok kez gündeme gelen Rektör Ubeyde İpek, hemşerisi olan V. A.'yı Spor Bilimleri Fakültesi Antrenörlük Eğitimi bölümüne almak için "Antrenörlerin iş doyumu konusunda çalışmak olmak" koşuluyla doğrudan doktora tezini işaret eden adrese teslim ilan çıkardı.

OHAL Komisyonu'nun görev süresi doluyor: Lağvedilmeli

Kamudan ihraç edilen 100 binin üzerindeki kişinin mahkemeye gitmeden önce itirazlarını değerlendirmek için kurulan OHAL İnceleme Komisyonu geçen 3 yıla karşın tüm başvuruları sonuçlandırmadı. Görev süresi 23 Ocak 2021'de dolacak olan ve ek süre verilip verilmeyeceği bilinmeyen komisyonda karar bekleyen çok sayıda kişi cezalandırma aracı haline geldiğini belirterek, kararlarıyla birlikte lağvedilmesini istiyor.

16 Aralık Çarşamba 2020 Saat: 07:39

Hitit Üniversitesi'nde kişiye özel kadro ilanı

Corum'da bulunan Hitit Üniversitesi'nde yayımlanan bir akademik kadro ilanında aranan şartlar kişiye özel kadro ilanı

ve başvuru sonucu ilgililere elektronik ortamda erişime

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Nepotizm üniversiteleri teslim aldı: Rektörün 3 kızı, 1 damadı ve yeğeni aynı üniversitede

Liyakatin 'kırmızı çizgi' olması gerektiği üniversitelerde akraba kayırmacılığının ve kadrolaşmanın geldiği seviye alarm vermeye başladı.

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DEKAN PUANI YÜKSEK ADAYI DEĞİL KIZINI İŞE ALDI

ÖZEL HABER SERKAN ALAN

OĞLUNU VE ESİNİ ÖĞRETİM GÖREVLİSİ OLARAK ATADI

ÜÇ KIZI BİR YEĞENİ ÖĞRETİM ÜYESİ OLDU

KATU REKTÖRÜ PROF. DR. SÜLEYMAN BAYKAL

REKTÖRÜN ÜÇ KIZI BİR YEĞENİ ÖĞRETİM ÜYESİ OLDU

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YÖNETİM SEKLİ NEPOTİZM

BAİBÜ'DE KİŞİYE ÖZEL KADRO İLANI

'ADRESE TESLİM'



Mahkeme kararı: Ege Üniversitesi'nde şahsa özel

Ege Üniversitesi Felsefe Bölümü Başkanı Doç. Dr. Mehmet Kuyurt, gerekçesiyle rektörlüğe açtığı davayı kazandı. İzmir 8. İdare Mahkemesi, işlemin iptaline karar verdi.

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MAHKEME MEÜ'DE 'KAYIRMACILIĞA' DUR

Kişiye özel kadro ilanlarıyla sık sık gündeme gelen Ege Üniversitesi'nin, Mühendislik Fakültesi Makine Müh. Bölümü, Mekanik Ana Bilim Dalı 1. derece doçent k. 09 Ağustos 2019 tarihinde açtığı ilan hakkında Mersin Mahkemesi'nin yürütmeyi durdurma kararı verdiği o SAYFA 6'da

İSMAİL BEŞİKCİ FOUNDATION MEDIA SURVEY ON ACADEMIC RIGHTS VIOLATIONS

2020

Sakarya Üniversitesi 'kontenjan skandalı' ile çalkalanıyor!

Yüksek Öğretim Kurumu YÖK çerçevesi yönetmeliğince yurt dışından öğrenci alım kuralları ihlal edildiği öne sürülerek, Sakarya Üniversitesi hakkında inceleme başlatıldığı iddiaları

İSMAİL BEŞİKÇİ FOUNDATION
MEDIA SURVEY ON ACADEMIC RIGHTS VIOLATIONS
2020



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CONTENTS

İSMAİL BEŞİKCİ FOUNDATION MEDIA SURVEY ON ACADEMIC RIGHTS VIOLATIONS 2020 /	5
THE STATE OF EMERGENCY DECREE-LAWS AND UNIVERSITIES /	8
DIRECT ALLOCATION OF RECTORS /	9
THE VIOLATIONS COVERED IN THE MEDIA IN 2020 /	11
CONTINUING VIOLATIONS TOWARDS ACADEMICIANS DISMISSED BY DECREE-LAWS /	11
THE STATE OF EMERGENCY COMMISSION'S TERM OF OFFICE WAS PROLONGED FOR ONE YEAR LONGER IN DECEMBER 2020 /	15
THE RIGHTS VIOLATIONS REGARDING WITH THE APPOINTMENT OF ACADEMIC AND ADMINISTRATIVE PERSONNEL /	22
ACADEMIC RIGHTS VIOLATIONS CAUSED BY THE MANAGEMENT OF COVID-19 PANDEMIC /	45
SEXIST, EXCLUSIONARY AND DISCRIMINATING VERBAL ATTITUDES TOWARD UNIVERSITY STUDENTS /	51
EVALUATION /	55

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16 Aralık Çarşamba 2020 Saat: 07:39



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Üniversite rektöründen belediye başkanının kızına sipariş kadro

Van Yüzüncü Yıl Üniversitesi'ne bağlı Dursun Odabaşı Tıp Merkezi Hastanesi'ne, personel alımı için ilanı açıldı. Kriterleri Karşılayan ve başvurusu kabul edilen tek kişi ise AKP'li Van Tıp Belediye Başkanı Salih Akman'ın kızı oldu.

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'ADRESE TESLİM'



Mahkeme kararı: Ege Üniversitesi'ndeki kadro şahsa özel

Ege Üniversitesi Felsefe Bölümü Başkanı Doç. Dr. Mehmet Kuyurtar, kişiye özel kadro ilan gerekçesiyle rektörlüğe açtığı davayı kazandı. İzmir 6. İdare Mahkemesi, Kuyurtar'ın iddialarını haklı bularak, işlemin iptaline karar verdi.

29 Aralık 2020 19:53



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DEKAN PUANI YÜKSEK ADAYI DEĞİL KIZINI İŞE ALDI

Dicle Üniversitesi Eğitim Fakültesi Dekanı Gıral Topal

Dicle Üniversitesi'ne kadrosuna daha yüksek KPSS puanlı adaylar olmasına rağmen dekandan kızını seçti.

OĞLUNU VE ESİNİ ÖĞRETİM GÖREVLİSİ OLARAK ATADI

Batman Üniversitesi Rektörü Prof. Dr. Arif Düzgün

Rektörün oğlu üniversitede doçent olarak görev yapıyor. Oğlu ise Mühendislik Fakültesi'nde araştırma görevlisi olarak görev yapıyor.

ÇÇ KIZI BİR YEĞENİ ÖĞRETİM ÜYESİ OLDU

Kütahya Rektörü Prof. Dr. Süleyman Baykal

Rektörün üç kız, bir damadı üniversitede öğretim üyesi olarak görev yapıyor. Rektörün yeğeni de aynı fakültesinde görevli.

YÖNETİM SEKİ NEPOTİZM

BAİBÜ'DE KİŞİYE ÖZEL KADRO AÇILDI' İDDİAS



Haber: Adnan KARABULUT

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İSMAİL BEŞİKCİ FOUNDATION

MEDIA SURVEY ON ACADEMIC RIGHTS VIOLATIONS

2020

The Report of the Media Survey on the Academic Rights Violations (hereafter, “the IBF Report”) constitutes content analysis on the news stories regarding violations of academic rights in the local as well as the national media. It is based on 500 news stories related directly to the violations of academic rights. The violations of these academic rights are classified under different headings on the basis of the areas in which they occurred based on the survey results.

Within the two years of the state of emergency period from 2016 to 2018, as a consequence of the decree-laws (KHK) issued, the administrative and academic autonomy of universities has been encroached beyond even the limits drawn in the 1982 Constitu-

OHAL Komisyonu'nun görev süresi doluyor: Lağvedilmeli

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16 Aralık Çarşamba 2020 Saat: 07:39



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tion. Many of the statements and actions that should be considered a freedom of expression have now become to be judged as a “crime” and academics have been punished for using these fundamental rights. The state of emergency was legally abrogated in 2018, in practice, however, its effect still continues with yet new legal orders. In order to demonstrate the existing continuities, firstly some brief information will be given about the new regulations imposed on universities through the state of emergency decree-laws.

After the introduction, the first part of the IBF Report deals with the continuing violations caused by the state of emergency decree-laws. Two changes made in 2020 in the regulation of permanent staff recruitment and disciplinary procedures paved the way to these violations. In the state of emergency period, it was promulgated that the university rectors would be appointed directly by the President of the Republic, without passing through elections. In 2020, those appointed rectors have become the only authority in determining the recruitment of academic staff, without any consultation with the board of departments or faculties and the senate. As a result of this regulation, academic position announcements and recruitments have been customized – some of which were annulled by court decisions – but most of the academic rights were abused. The modifications brought to disciplinary regulation – just as the state of emergency decree-laws – authorize the heads of disciplinary boards to be able to fire academicians, without any trial when accused of expressing their convictions or because of their allegedly “improper” actions. Within the framework of such provisions, many university administrators and faculty staff do not feel any responsibility neither to society nor to the academic community, rather they act in accordance with the will of the powers who appointed them (i.e. President Erdoğan) It is they who have executed these arbitrary applications. In this context, corruption and loss of academic quality have become almost the norm.

At the beginning of 2020, a civic foundation university in Istanbul, called Şehir Üniversitesi, was closed down. This closure was covered in the media to some extent. The IBF Report included the academic rights violation involved in this event.

Another two subjects regarding significant academic rights violations that were covered intensively by the media were the serious violations in 2020 caused by the ways in which the COVID-19 pandemic was being managed as well as those caused by denigrating, discriminating and sexist approaches towards ac-

ademics and university students. In each section of the Report, after giving brief information about the administrative and legal provisions in relation to a given violation dealt with in that section, the news stories will be analyzed specifying the place in which that violation occurred and its content. The headline of the news stories and their links will be given in the footnotes.

In considering any administrative or legal act as academic rights violations, the IBF Report takes as its basis the principles and recommendations stated in UNESCO's 1997 "Recommendation concerning the Status of Higher-Education Teaching Personnel" as well as the principles stated by the 10th article of European Human Rights Convention which define freedom of expression.

THE STATE OF EMERGENCY DECREE-LAWS AND UNIVERSITIES

Directly after the suppression of the 15 July 2016 coup d'état attempt, the 667 Decree-Law was promulgated.¹ The provisions contained in this decree-law constitute the framework of academic rights violations in the present day. The 1982 Constitution of the Republic of Turkey indicates the situations that require the declaration of a state of emergency. The 15th article of the Constitution, however, clearly explains what cannot be done even "in times of war, mobilization, martial law, or state of emergency" as follows: "The individual's right to life, and the integrity of his material and spiritual entity shall be inviolable; no one may be compelled to reveal his religion, conscience, thought or opinion, nor be accused on account of them; offenses and penalties may not be made retroactive, nor may anyone be held guilty until so proven by a court judgment."²

According to jurists, considered within the limits drawn by the Constitution, the 667 Decree-Law cannot be regarded as constitutional, since it does not define any fundamental rights and freedoms that cannot be violated even in the state of emergency situations.³ The 3rd and 4th articles of this decree-law establish that any civil servant considered affiliated or related to terrorist organizations can be fired without any process of trial.⁴ This means that the presumption of innocence that the Constitution considers as one of inviolable rights is no lon-

1 Olağanüstü Hal Kapsamında Alınan Tedbirlere İlişkin Kanun Hükmünde Kararname, RG 23.10.2016, no. 29779.

2 See TİHV, Üniversitenin Olağanüstü Hali [University's State of Emergency], p. 89

3 Ibid. p.90.

4 Ibid. p.90. With the 667 Decree-law, 15 foundation universities were closed down. And in one paragraph, it states that "The stuff bound by the Higher Education Teaching Personnel Law can be removed from office through the decision of the Higher Education Council based on the proposition of the Head of the Higher Education Council." This in turn paves the way to academic expulsions, see <https://www.resmigazete.gov.tr/eskiler/2016/07/20160723-8.htm>

ger applicable.⁵ The government, using the jurisdiction regarding the state of emergency that the Constitution entitles them, oversteps the limitations set by the Constitution and hence establishes a regime that does not have any Constitutional ground and definition.⁶ In addition to that, the Constitutional Court annulled its 10 January 1991 jurisprudential decision by issuing a new one on 12 October 2016 and stated that “the decree-laws issued during the state of emergency period cannot in any case be subjected to judicial inspection.”⁷

DIRECT ALLOCATION OF RECTORS

On the 20th of October 2016, for the first time in the history of Turkey, the President himself Recep Tayyip Erdoğan officially opened the academic year and declared that university rectors should be appointed, rather than being elected, to their office, from now on⁸. Ten days afterwards, through the 676 Decree-Law,⁹ the President’s authority to assign the rectors of state universities became legal.¹⁰ Thus the government reverted back to the decision made by military council in 1981 concerning the selection of the rectors by the President.¹¹ With the 703 Decree-Law of 9 July 2018,¹² the declaratory clause concerning the requirement that the Higher Education Council (YÖK) should propose candidates to the President and that those candidates should have the title of professorship at least for three years was annulled, and it is simply stated that “The President appoints the rectors of state and foundation universities.” The same decree also gives the only authority to the President to appoint the 21 members and head of the YÖK.¹³ Between 2016 and 2018, through 35 decree-laws, 15 foundation universities were closed down and 6081 higher education teaching personnel from 122 different universities were dismissed.

5 TİHV, Üniversitenin Olağanüstü Hali, p. 90.

6 Ibid.

7 Ibid. p.93-94.

8 <https://www.milliyet.com.tr/gundem/universite-ozerkligi-tartismalari-alevlendi-2330326>

9 Olağanüstü Hal Kapsamında Bazı Düzenlemeler Yapılması Hakkında Kanun Hükmünde Kararname, RG 29.10.2016, no. 29872.

10 Cumhurbaşkanı doğrudan rektör atayabilecek, <https://www.hurriyet.com.tr/gundem/cumhurbaskani-dogrudan-rektor-atayabilecek-40263024>

11 <https://www.hurriyet.com.tr/gundem/cumhurbaskani-dogrudan-rektor-atayabilecek-40263024>

12 Anayasada Yapılan Değişikliklere Uyum Sağlanması Amacıyla Bazı Kanun ve Kanun Hükmünde Kararnamelerde Değişiklik Yapılması Hakkında Kanun Hükmünde Kararname, RG 9.07.2018, no. 30473, 3. Mükerrer.

13 Bilim Akademisi: Üniversitelerdeki Kısıtlamalar Tüm Hızıyla Devam Ediyor, <https://www.sozcu.com.tr/2020/egitim/bilim-akademisi-universitelerdeki-kisitlamalar-tum-hiziyla-devam-ediyor-6118339/>

Üniversite rektöründen belediye başkanının kızına sipariş kadro

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○ GÜNDEM ○ 14 Eylül 2020 Pazartesi 13:50

'ADRESE TESLİM'



BAİBÜ'DE KİŞİYE ÖZEL KADRO AÇILDI' İDDİAS



Adrese teslim kadro ilanı: Tarih bölümü için ilahiyat şartı istediler

Konya Karatay Üniversitesi'nde kişiye özel bir ilan yayınlandı. Tarih Bölümü araştırma görevlisi olabilmek için "İlahiyat Fakültesi lisans mezunu olma" şartı aranacağı belirtildi.



14 Kasım 2020 09:12 / Eğitim



...larda 'Adrese teslim kadro' ilanları devam ediyor.

THE VIOLATIONS COVERED IN THE MEDIA IN 2020

CONTINUING VIOLATIONS TOWARDS ACADEMICIANS DISMISSED BY DECREE-LAWS

The State of Emergency Commission established for adjudicating the dismissals have not yet thoroughly completed all the applications even four years passed after its constitution; and the majority of the applications completed are unfavorable for the academicians.¹⁴ These inspections that should be effectuated immediately, considering the seriousness of the loss of rights, rather takes an indeterminate time, a process which causes new violations.¹⁵ Because “the Commission that has turned into a tool of punishment” – putting it in the words of the academicians them-

14 Olağanüstü Hal İşlemleri İnceleme Komisyonu Kararları Hakkında Duyuru (31.12.2020) <https://ohalkomisyonu.tccb.gov.tr/> ; on 31/12/2020, the number applications made to the Commission is 126.630. The Commission started to decision making process on 22 December 2017 and on 31 December 2020, the number of adjudicating decisions is 112.310 (13.170 favorable and 99.140 unfavorable). The number of applications still in the process of inspection is 14.320.

15 CHP’li Kaya: OHAL Komisyonu bazı dosyaların incelenmesini bekletiyor, <https://www.yurtgazetesi.com.tr/guncel/chpli-kaya-ohal-komisyonu-bazi-dosyalarin-incele-mesini-bekletiyor-h155904.html>; OHAL Komisyonu frene bastı, <http://gold.ajanspress.com.tr/extih/481833060/4/8CE18446-F88D-EA11-BA55-001A6465F174>

selves – constantly postpones the inspection of certain files, the academicians could not claim their rights through legal channels.¹⁶

The dismissed academicians have lost not only their academic rights – due to the legal orderings summarized briefly above – but also some of their basic citizenship rights. Some of them having had a cardiac arrest, stroke or a cerebral hemorrhage –due to the stress and deterioration of working conditions even lost their lives.¹⁷ Some of these died due to not being able to afford necessary treatment either because their debit cards were cancelled¹⁸ or because it was interdicted for them to go abroad getting better treatment.¹⁹

Here are the Main Academic Rights Violations:

☑ In 2019, the Constitutional Court decided that the freedom of expression of Zübeyde Füsün Üstel and nine other “Academicians for Peace” was indeed violated when they were convicted for making propaganda of a terrorist organization just because they signed the manifesto of “We will not be Complicit to This Crime.” And the full decision of the court was published in the Official Gazette (Resmi Gazete, RG) on 19 September 2019.²⁰ Due to the fact that the State of Emergency Commission defers to conclude the applications, 406 peace signatory academicians who were acquitted through the Constitutional Court’s decision are still waiting to go back to their jobs.²¹ Most of the university rectors²² and academicians²³ who have become the appointed officials of the govern-

16 OHAL Komisyonu’nun görev süresi doluyor: Lağvedilmeli, <http://gold.ajanspress.com.tr/ex-tih/490694779/4/8CE18446-F88D-EA11-BA55-001A6465F174>

17 Abdulhadi Erdal Özdeniz hayatını kaybetti, <https://tr.pinterest.com/pin/832603049850676641/>

18 KHK’lı akademisyen hayatını kaybetti, <https://boldmedya.com/2020/05/08/khkli-akademisyen-hayati-ni-kaybetti>

19 KHK’lı akademisyen Haluk Savaş hayatını kaybetti, <https://dokuz8haber.net/gundem/insanhaklari/khk-li-akademisyen-haluk-savas-hayatini-kaybetti/>

20 Resmi Gazete: Anayasa Mahkemesi Kararı, <https://www.resmigazete.gov.tr/eskiler/2019/09/20190919-14.pdf>

21 AYM suç yok dedi ama cezalandırma sürüyor, <http://www.yeniyasamgazetesi2.com/aym-suc-yok-dedi-ama-cezalandirma-suruyor/>

22 Üniversitelerden AYM’nin “hak ihlali” kararına tepki, <https://www.hurriyet.com.tr/gundem/universiteler-den-aymnin-hak-ihlali-kararina-tepki-41292020>

23 1071 akademisyenden, Anayasa Mahkemesi kararına karşı ortak bildiri, <https://www.hurriyet.com.tr/gundem/1071-akademisyenden-anayasa-mahkemesi-kararina-karsi-ortak-bildiri-41287973>

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Kamudan ihraç edilen 100 binin üzerindeki kişinin mahkemeye gitmeden önce itirazlarını değerlendirmek için kurulan OHAL İnceleme Komisyonu geçen 3 yıla karşın tüm başvuruları sonuçlandırmadı. Görev süresi 23 Ocak 2021'de dolacak olan ve ek süre verilip verilmeyeceği bilinmeyen komisyonda karar bekleyen çok sayıda kişi cezalandırma aracı haline geldiğini belirterek, kararlarıyla birlikte lağvedilmesini istiyor.

16 Aralık Çarşamba 2020 Saat: 07:39



ment reacted against the Constitutional Court's decision of "violation of right" and published counter manifestos. Such reactions can give an idea about the situation in which those acquitted academicians would find themselves even if they could return to their jobs through court's decision.

☑ Some of the "Peace Academicians" that were released after the Constitutional Court's decision filed indemnity lawsuits on the grounds that they were "deprived of their freedoms since they were arrested unjustly and arbitrarily." Initially the academician Meral Camcı's case was concluded and the court decided that Mrs. Camcı should be paid a total of 1723 Turkish Lira moral indemnity (75 TL for each day of her detention), but denied her all claims for

material damages.²⁴

☑ Some of the academicians were dismissed from their positions because they had signed the “We will not be Complicit to This Crime” and had to go abroad in order to be able to work in their profession and begin their lives afresh. A report on all the human rights violations that those academicians were subjected to was published in 2020.²⁵ According to this report, all the claims of those academicians for the procedures to which the citizens of Turkish Republic are entitled and are effectuated through embassies were denied to them on unfounded reasons. Thus the general principles that the Constitution defines as citizenship statutes were violated. This report includes fundamental rights violations such as non-recognition of the petitions filed; the obstruction of access to the electronic services of the State; putting restrictions on passports; impeding the use of the right to defend oneself as well as that of participating to the elections; violations regarding to spouse and children; bad treatments at the embassies; transnational stigmatizing, criminalizing and targeting initiatives while they look for an academic post or working as academic personnel abroad.²⁶

☑ Peace signatory Tuna Altınel, a faculty member of a university in France, filed a petition for the removal of the restrictions on his passport. However, even though he was acquitted from all the accusations by court decision, his petition was repeatedly rejected. Altınel said that “because I couldn’t obtain my passport for 600 days, I couldn’t go back to the country where I work.”²⁷

24 Barış Akademisyenleri yargılamaları: Devlet Camcı’ya tutuklu kaldığı her gün için 75 TL ödeyecek, <https://bianet.org/bianet/ifade-ozgurlugu/233948-devlet-camci-ya-tutuklu-kaldigi-her-gun-icin-75-tl-odeyecek>

25 Türkiye İnsan Hakları Vakfı Barış İçin Akademisyenlerin uğradığı hak ihlallerini raporlaştırdı, <https://www.demokraphaber.org/guncel/turkiye-insan-haklari-vakfi-baris-icin-akademisyenler-in-h136981.html>

26 Barış Akademisyenleri’nin e-devlete ulaşması engellendi”, <https://aptalist.com/news/173729/baris-akademisyenleri-nin-e-devlete-ulasmasi-engellendi>

27 Fransa’da öğretim üyesi olan Altınel, beraat kararı kesinleşmesine rağmen 600 gündür pasaportuna ulaşamıyor!, <https://www.cumhuriyet.com.tr/haber/fransada-ogretim-uyesi-olan-altinel-beraat-karari-kesinlesmesine-ragmen-600-gundur-pasaportuna-ulasamiyor-1798893>

THE STATE OF EMERGENCY COMMISSION'S TERM OF OFFICE WAS PROLONGED FOR ONE YEAR LONGER IN DECEMBER 2020

Rights Violations Caused by the Changes Made in the Disciplinary Regulations

A bill containing detailed modifications on the evaluation of working conditions and academic production of university teaching personnel was published in the Official Gazette on 17 April 2020.²⁸ In the 7th article of this bill, there are certain wordings that give a large margin of interpretation to supervisors such as: “Taking actions that can be qualified as terroristic or support of such actions, using or having others use public means and resources for terrorist organizations; having immoral and indecent attitudes and behaviors that are against the responsibility of assiduity that they carry by their titles as academicians.” These changes were made without taking the opinion of any academic institution and without conducting a public referendum.

One can remark reading these news stories that first decree-laws and the above mentioned changes have deeply affected the academicians and thus inhibited them from conducting freely their work and from expressing their opinions. The auto-censure that the academicians have had to impose on themselves because they are afraid of being deprived of all academic and civil rights included choosing research subjects and sharing their research data which should be considered as a fundamental academic right of freedom of thought. Several reports covered by the media demonstrate the psychological conditions in which academicians work. Here are the rights violations caused by expressing or not being able to express thoughts that had a wide coverage in the media:

☑ In the above mentioned reports, academicians articulate that they do not feel safe in Turkey and that they feel the obligation to censure themselves both in class environments and in some academic activities such as publications or conferences. They feel to keep away from some “sensitive subjects” such as Kurdish prob-

28 Yükseköğretim Kanunu ile Bazı Kanunlarda Değişiklik Yapılmasına Dair Kanun <https://www.resmigazete.gov.tr/eskiler/2020/04/20200417-1.htm>

Mahkeme kararı: Ege Üniversitesi'ndeki kadro şahsa özel

Ege Üniversitesi Felsefe Bölümü Başkanı Doç. Dr. Mehmet Kuyurtar, kişiye özel kadro ilanı gerekçesiyle rektörlüğe açtığı davayı kazandı. İzmir 6. İdare Mahkemesi, Kuyurtar'ın iddialarını haklı bularak, işlemin iptaline karar verdi.



0

29 Aralık 2020 13:53



Yıllık 29 bin TL'ye sınavsız hukuk eğitimi dönemi

1 Başkanı Mustafa Şentop'un 'Mütevelli Heyeti Onursal Üyesi' oldu. Makedonya'daki Uluslararası Balkan Üniversitesi, hukuk eğitimleri... YÖK tarafından tanınırlığa ve denkliğe sahip olduklarını belirten üniversite, ÖSYM tercih kılavuzunda hukuk fakültesine yer vermezken hukuk eğitimi almak için yalnızca lise diplomasına sahip olmak ve yıllık 2 L ödemek yeterli.

Perşembe 2020 Saat: 07:07



ÖZEL HABER
SERKAN ALAN



lem, Armenian genocide, the LGBTQ's civil rights.²⁹ They are concerned that the freedom of expression has been restricted in every field.³⁰ The Kurdish studies continue to be an area where the censure and auto-censure is most intensively experienced.³¹

☑ The academicians who work on the Kurdish problem or gender issues were forced to change their subjects on the grounds of national security or simply because the supervisors did not like such subjects. The dissertation of a PhD student in a state university in Istanbul was not accepted because, allegedly, the title of the dissertation – State Violence, Militarism and Masculinities in Turkey's Cinema – and its content were not compatible. When the said student changed the title as The Cinematographic Representations of Military, Militarism and Gender in Turkey, the dissertation was accepted but the student was dispelled from the university without citing any reasons. The academician İnan Özdemir Taştan describes the situation in which they find themselves during their researches as follows: “Even when you work on an ethnic problem in the other parts of the world, it becomes dangerous because it might be reminiscent of the issues in Turkey.”³²

☑ As we learn from the media, at Dicle Üniversitesi it is de facto unacceptable to write dissertations in Kurdish language, although there is not any legal order against it. The said university authorities tried to explain de facto situation by declaring that since the opening of the Department of Kurdish Language and Literature as

29 Rapor: ‘Türkiye’de akademik özgürlük ciddi zarar gördü; kampüslerde korku ve otosansür yayıldı, <https://tr.euronews.com/2020/11/18/rapor-turkiye-de-akademik-ozgurluk-ciddi-zarar-gordu-kampuslerde-korku-ve-otosansur-yay-ld>; İhraç edilen akademisyenlerin yüzde 97’si kendisini Türkiye’de güvende hissetmiyor, <https://kronos34.news/tr/ihrac-edilen-akademisyenlerin-yuzde-97si-kendisini-turkiyede-guvende-hisset-miyor/>

30 Bilim Akademisi: Üniversitelerdeki Kısıtlamalar Tüm Hızıyla Devam Ediyor, <https://www.sozcu.com.tr/2020/egitim/bilim-akademisi-universitelerdeki-kisitlamalar-tum-hiziyla-devam-ediyor-6118339/>

31 Akademiye Kürt çalışmaları hâlâ baskı ve sansür kiskacında, <https://www.gazeteduvar.com.tr/akademi-de-kurt-calismalari-hala-baski-ve-sansur-kiskacinda-haber-1509347>

32 Türkiye’de akademik özgürlük: “Tabu konularda araştırma engellenebiliyor”, <https://ulusal24.com/2020/10/05/turkiye-de-akademik-ozgurluk-tabu-konularda-arastirma-engellenebiliyor-turkiye-u24/>

YÖNETMELİK

Yükseköğretim Kurulu Başkanlığından:

**DEVLET YÜKSEKÖĞRETİM KURUMLARINDA ÖĞRETİM ELEMANI NORM
KADROLARININ BELİRLENMESİNE VE KULLANILMASINA
İLİŞKİN YÖNETMELİKTE DEĞİŞİKLİK YAPILMASINA
DAİR YÖNETMELİK**

MADDE 1 – 2/11/2018 tarihli ve 30583 sayılı Resmî Gazete’de yayımlanan Devlet Yükseköğretim Kurumlarında Öğretim Elemanı Norm Kadrolarının Belirlenmesine ve Kullanılmasına İlişkin Yönetmeliğin 3 üncü maddesinin birinci fıkrasının (a) bendindeki “eğitim ve öğretime başlamak” ibaresi “eğitim-öğretime başlamak” şeklinde değiştirilmiştir.

MADDE 2 – Aynı Yönetmeliğin 4 üncü maddesinin ikinci fıkrasının son cümlesi ile beşinci ve altıncı fıkralarındaki aşağıdaki şekilde; üçüncü fıkrasındaki “ve/veya bölüm kurulunun uygun”, “doktora” ibareleri sırasıyla “akademik kurulunun”, “doktora ve dengi” şeklinde; yedinci fıkrasındaki “akademik kurulların uygun görüşü” ibaresi “akademik kurulların uygun görüşü üzerine üniversite yönetim kurulu” şeklinde değiştirilmiştir ve dördüncü ve altıncı fıkralarındaki “uygun” ibareleri ile yedinci fıkrasının son cümlesindeki “uygun” ibaresi çıkarılmıştır.

Madde 2’nin kapsamında asgari kadro sayısı dışındaki norm kadrolar, ilgili anabilim/anasanat dalı ve bölüm kurulunun görüşü alınarak ilgili meslek yüksekokulu, konservatuvar, yüksekokul, fakülte ve enstitü yönetim kurulu tarafından belirlenir.”

“(5) Anabilim/anasanat dalı ve programa öğrenci alan önlisans ve lisans programları ile bünyesinde bulunmayan fakülte olmamakla birlikte servis dersi veren birimler için öğretim elemanı norm kadro sayısı, anabilim/anasanat dalı ve bölüm kurulunun görüşü alınmak şartıyla ilgili birim yönetim kurulu kararıyla asgari kadro sayısının iki katına kadar belirlenebilir.”

“(8) Yükseköğretim kurumları, bu maddenin ikinci, dördüncü ve beşinci fıkraları çerçevesinde kadro planlamalarından bir sonraki yıl ilan edilmesi planlanan kadroları üniversite yönetim kurulu tarafından her yıl Aralık ayı içinde Yükseköğretim Kuruluna gönderir ve kendi internet sitesinde yayımlar.”

MADDE 3 – Aynı Yönetmeliğin 5 inci maddesinin ikinci, üçüncü ve altıncı fıkraları aşağıdaki şekilde değiştirilmiştir.

“(2) Asgari kadrolar ile Yükseköğretim Kurulu tarafından uygun görülen norm dışı kadroların kullanımı ilgili birim tarafından gerçekleştirilir. Öğrencisi bulunan birimlerin asgari kadrolarında boşalma olması halinde asgari kadro temin için uygun kadroya ilk ilanda yer verilir.”

“(3) Asgari kadro sayısı dışındaki norm kadrolar, ilgili meslek yüksekokulu, konservatuvar, yüksekokul ve enstitü yönetim kurulunun görüşü üzerine üniversite yönetim kurulu kararıyla kullanılabilir.”

“(4) Cumhurbaşkanı kararıyla her yıl ilgili yükseköğretim kurumu için belirlenen atama izin sayıları, ilgili birim yönetim kurulunun gerekçeli teklifi üzerine üniversite yönetim kurulu kararıyla belirlenir.”

MADDE 4 – Bu Yönetmelik yayımı tarihinde yürürlüğe girer.

MADDE 5 – Bu Yönetmelik hükümlerini Yükseköğretim Kurulu Başkanı yürütür.

Yönetmeliğin Yayımlandığı Resmî Gazete’nin

Tarihi

Sayısı

2/11/2018

30583

Yönetmelikte Değişiklik Yapan Yönetmeliğin Yayımlandığı Resmî Gazete’nin

Tarihi

Sayısı

2/11/2019

30936

well as the Program of Kurdish Language and Culture, the official language of education had always been Turkish.³³ When the Minister of Education, Ziya Selçuk, was asked to explain the “interdiction of Kurdish,” he does not mention the case of Dicle Üniversitesi and simply answered as follows: “As of today, in the Higher Education Council’s (YÖK) theses database there are 301 Kurdish M.A. theses and PhD dissertations. And at Van Yüzüncü Yıl Üniversitesi, students can write their theses or dissertations in Kurdish without any problem.”³⁴ It is interesting to note that the discrepancy between the explanations of the university authorities and the Minister demonstrates how academic freedoms are deprived of legal basis which would not allow arbitrary practices.

☑ In 2017, Bekir Tank, the faculty member of the Department of History at Istanbul Ticaret Üniversitesi, was accused of “separatism” because he assigned his students to do the Kurdish translation of two texts and brought to the disciplinary board. After the investigation conducted by the rectory, his contract was annulled and he was dismissed on 31 August 2020.³⁵

☑ Academician Adem Yıldırım was dismissed from office and subjected to a judicial inquiry because he translated a Kurdish interview published in the journal, Kampflatz.³⁶

☑ Cihan Erdal, a PhD student at Carleton University in Canada and a former member of Central Decision and Policy Board of the People’s Democratic Party (HDP-Kurdish political party), was arrested during his fieldwork in Istanbul. The investigation process

33 ‘Kürtçe tez yasaklandı’ iddiasının altındaki sansür zinciri, <https://susma24.com/kurtce-tez-yasaklandi-id-diasinin-altinda-sansur-zinciri/>

34 Kürtçe tez yazmak yasaklandı mı?, <http://www.pervinkaplan.com/detay/kurtce-tez-yazmak-yasaklandi-mi/14577>

35 Kürtçe ödev veren akademisyenin sözleşmesi sonlandırıldı, <https://www.demokrathaber.org/guncel/kurtce-odev-veren-akademisyenin-sozlesmesi-sonlandirildi-h134077.html>

36 Akademisyen Yıldırım, çeviri yaptığı için ihraç edildi, <http://haberci.ajanspress.com.tr/pad/press/OTg5MDM4MzgmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>

Nepotizm üniversiteleri teslim aldı: Rektörün 3 kızı, 1 damadı ve yeğeni aynı üniversitede

Liyakatin 'kırmızı çizgi' olması gerektiği üniversitelerde akraba kayırmacılığının ve kadrolaşmanın geldiği seviye alarm vermeye başladı

conducted in 7 cities resulted in detention of 82 people, including Cihan Erdal.³⁷

✓ After two months of the promulgation of the decree-law which allowed the Higher Education Council (YÖK) to close down foundation universities whose activities had been suspended, the Istanbul Şehir Üniversitesi was closed down by the President's decree (number 2708).³⁸ While the situation of the faculty members remained uncertain, it was decided that the students should be transferred to a guarantor university.³⁹ The students transferred to Marmara University encountered many difficulties such as not being able to pursue their studies at the departments that they had chosen or because of the low quality of education in related departments.⁴⁰ These students also incurred harassments and discriminating attitudes in their new university by other students as well as by academic and administrative staff because Şehir Üniversitesi had been stigmatized and closed down.⁴¹

✓ Some manifestations of academicians and students concerning the situation of universities and academia were considered criminal and they were arrested.⁴²

37 2500 akademisyenden çağrı: Cihan Erdal'ı serbest bırakın, <https://t24.com.tr/haber/2500-akademisyenden-cagri-cihan-erdal-i-serbest-birakin,909769>; Hocalarından Cihan Erdal çağrısı: Haksız yere cezaevinde, <https://www.gazeteduvar.com.tr/hocalarindan-cihan-erdal-cagrisi-haksiz-yere-cezaevinde-haber-1502223>

38 Şehir University'nin Kapanması ve Vakıf Üniversitelerinin Geleceği, <https://www.perspektif.online/sehir-universitesinin-kapanmasi-ve-vakif-universitelerinin-gelecegi>

39 YÖK'ten İstanbul Şehir University hakkında flaş karar! <https://www.sabah.com.tr/egitim/2020/06/30/yokten-istanbul-sehir-universitesi-hakkinda-flas-karar>; Eski AKP milletvekili Ocaktan: Üniversite kapatan iktidar olarak kaydımızı yaptırmış olduk, bundan daha hüznü verici bir durum olamaz, <https://t24.com.tr/haber/eski-akp-milletvekili-ocaktan-universite-kapatan-iktidar-olarak-kaydimizi-yaptirmis-olduk-bundan-daha-huzun-verici-bir-durum-olamaz,887861>

40 Şehir University öğrencileri Euronews'e konuştu, <https://aptalist.com/news/117045/sehir-universitesi-ogrencileri-euronews-e-konustu>

41 Şehir University'nden Marmara'ya geçmek zorunda kalan öğrenciler dertli: Kampüste taciz var, <http://gold.ajanspress.com.tr/extih/483632994/4/8CE18446-F88D-EA11-BA55-001A6465F174>

42 Ankara'da YÖK protestosunda 30 öğrenci gözaltına alındı, <http://gold.ajanspress.com.tr/extih/485949544/4/321F25D2-DE8D-EA11-BA55-001A6465F174>

☑ At Akdeniz Üniversitesi, participating to the activities of political parties was considered a reason to fire academicians. At the said university, a staff member who had been dismissed on similar reasons by the former dean was later appointed to the head of a department. This case demonstrates the dominance of non-academic criteria in the processes of dismissal and appointments.⁴³

☑ A faculty member at Dokuz Eylül Üniversitesi Department of Nautical Studies who was also a representative of the university syndicate was sentenced to the forfeit of wages because he made a statement regarding the need of repairs at the campus.⁴⁴

☑ TOBB Economy and Technology University terminated the contract of Dr. Burak Bilgehan Özpek without citing any reason or demanding his defense.⁴⁵ Özpek filed a lawsuit against the university and upon the court's decision of "stay of execution," he returned to his office at the university on 8 December 2020.⁴⁶

☑ An academician who completed his PhD in sociology at a university in the U.S. applied to the Turkish Inter University Board in September 2018 for equivalence. He waited for two years without any response and finally in 2020, his application was refused.⁴⁷ According to the decision of the Inter University Board, "some expressions in the dissertation may be considered as terrorist propaganda as it is defined in the 7/2 article of the Anti-Terror Law and some other expressions may be considered as crime as it is

43 Akdeniz University'nde bir garip atama, <http://gold.ajanspress.com.tr/extih/486498418/4/8CE18446-F88D-EA11-BA55-001A6465F174>

44 Sendika yöneticisine demec verdi cezası, <http://haberci.ajanspress.com.tr/pad/press/OTg2OTkzM-zUmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>

45 TOBB ETÜ, Akademisyen Dr. Burak Bilgehan Özpek'in görevine son verdi, <https://www.evrensel.net/haber/398657/tobb-etu-akademisyen-dr-burak-bilgehan-ozpekin-gorevine-son-verdi>

46 Dr. Burak Bilgehan Özpek üniversitedeki görevine mahkeme kararıyla döndü, <https://kronos34.news/tr/akademisyen-dr-burak-bilgehan-ozpek-universitedeki-gorevine-mahkeme-karariyla-dondu/>

47 Türkiye İnsan Hakları Vakfı, Barış İçin Akademisyenler: Yurt Dışında Yaşayan ve KHK ile İhraç Edilmiş Akademisyenlerin Uğradığı Hak İhlalleri, 27 Kasım 2020, https://tihvakademi.org/wp-content/uploads/2020/11/BAK_Guncel_Durum_Raporu_Kasim_2020.pdf, p. 8.

defined by the 301st article of the Turkish Penal Code; and the said expressions remain outside of the ‘freedom of expressing and publishing thoughts as well as the freedom of science and art’ defined in the Constitution, and those expressions cannot be qualified as expressing thought and ultimately they are not objective, being rather provocative. For these reasons, we refuse to give equivalence to this dissertation.” With this decision, the Inter University Board takes the place of the legal courts having the authority to judge and convict academicians.⁴⁸

THE RIGHTS VIOLATIONS REGARDING WITH THE APPOINTMENT OF ACADEMIC AND ADMINISTRATIVE PERSONNEL

On 28 April 2020, a bill including changes in the regulation of permanent teaching staff was published in the Official Gazette.⁴⁹ The said bill gives the authority to determine universities’ staff needs directly to the University Management Board dependent on the rector who will be appointed by the President. The obligation in the former regulation for the demand of the heads of the departments and their boards has been removed, and it is now changed to “taking their opinions.” This modification strips the heads of the departments, sub-departments, the boards of the faculties and the senate from their authority and renders them ineffective. In the new context, the University Management Board and the rector can manage the permanent staff planning as they wish, without seeking the demands of the departments.

When one looks at the rights violations covered in the media in 2020, one can see that on the top of the list are the irregularities that the rectors appointed directly by the President have committed in recruiting the permanent staff; in particular, the “customized” academic position announcements “specific to a given person” which have breached many rights.

Below are the news stories regarding the academic position announcements and staff recruitments as well as the contents of those announcements and the irregularities that occurred. While the contents of some news stories will be giv-

48 Ibid. p. 8-9.

49 Resmi Gazete: “Devlet Yükseköğretim Kurumlarında Öğretim Elemanı Norm Kadrolarının Belirlenmesine ve Kullanılmasına İlişkin Yönetmelikte Değişiklik Yapılmasına Dair Yönetmelik”, <https://www.resmigazete.gov.tr/eskiler/2020/04/20200428-6.htm>

en in details, others will only be listed.

☑ In spite of the warning of the Higher Education Council (YÖK) regarding “the additional clause defining the person,” many universities published academic position announcements in which it is clearly understood that only one person has the qualifications required and thus only that person has the right to apply. Therefore, a lot of academicians, specialized in related area, become deprived of their legal right to apply for those positions.⁵⁰

☑ Çorum Hitit Üniversitesi published an academic position announcement specific to a person, stating that only s/he carries the qualifications required.⁵¹

☑ Şırnak Üniversitesi published an academic position announcement, specifying the dissertation subjects as the criteria for application.⁵²

☑ According to certain news stories, the University of Health Sciences published an illegitimate announcement for the recruitment of permanent staff and the Ankara Chamber of Physicians opposed this announcement considering it “customized.” The objectors also claimed that “in the 407 academic position announcements published in the Official Gazette, it is not clear according to what criteria and for what needs these announcements were made, since the process they followed is not transparent.”⁵³

50 Aranan özel şartlar ‘pes’ dedirtti! Fıkra gibi üniversiteler, <https://www.gunboyugazetesi.com.tr/aranan-ozel-sartlar-pes-dedirtti-fikra-gibi-universiteler-74340h.htm>

51 Çorum’un University’nden Liyakat Örneği: Bu İlanlara Sadece Bir Kişi Başvurabiliyor! <https://kanal101.tv/corumun-universitesinden-liyakat-ornegi-bu-ilanlara-sadece-bir-kisi-basvurabiliyor/>

52 Şırnak Üniversitesi’nde ‘adrese özel’ kadro alımı, <https://www.evrensel.net/haber/404086/sirnak-universitesinde-adrese-ozel-kadro-alimi>

53 ATO’dan kişiye özel kadro ilanına tepki: Kapatılan hastaneler için kadro ilanı yayımladılar, <https://www.birgun.net/haber/ato-dan-kisiye-ozel-kadro-ilanina-tepki-kapatilan-hastaneler-icin-kadro-ilani-yayimladilar-302611>; TTB, Sağlık Bilimleri University’nin yayımladığı kadro ilanına “kişilere özel” olduğu gerekçesiyle itiraz etti: “Bilimsellikten, denetimden, şeffaflıktan uzak kadro ilanına itiraz ediyoruz”, <https://medyascope.tv/2020/12/21/ttb-saglik-bilimleri-universitesinin-yayimladigi-kadro-ilanina-kisilere-ozel-oldugu-gerekcesiyle-iraz-etti-bilimsellikten-denetimden-seffaflikten-uzak-kadro-ilanina-iraz-ediyor/>

Sırnak Üniversitesinde 'adrese özel' kadro

aşkanı Saraç, pandemide yurt dışı
e'deki üniversitelere usulsüz y
ğını doğruladı



im Kurumu (YÖK) Başkanı Prof. Dr. Yekta Saraç, üniversite sınavlarında
rden yurt dışındaki üniversitelere kayıt yaptıranlara, pandemi koşulları
rkiye'deki üniversitelere yatay geçiş olanağı" tanınmasına ilişkin
yanılarak bazı yerlerde usulsüz yatay geçiş yapıldığını açıkladı. Üniversite
ininci olup, tıp fakültesine kayıt yaptıranlar olduğuna dair şikayetler
sti.

04.11.2020
Güncellenen

mi ilanları veren Sırnak Üniversitesinin en son ilan ettiği
erler "kişiyeye özel" kadro alımının yapıldığını ortaya koydu.

M ÜYESİ KADROLARI

UNVAN	ADET	DER.	AÇIKLAMA
Dr. Öğr. Üyesi	1	5	Müzik Alanında Doktora veya Sanatta Yeterlilik yapmış olmak.
Profesör	1	1	Yenilenebilir Enerji Sistemleri (Biyoyakıtlar) ile ilgili çalışmaları olmak.
Doçent	1	3	Enerji ayırımı X-Işını Spektroskopisi üzerine çalışmaları olmak.
Dr. Öğr. Üyesi	1	5	Maden Mühendisliği alanında Doktora yapmış olup, Kömür üzerine çalışmaları olmak.



kanı hukukçu olmayan hukuk ülteleri

rsitelerde bulunan 73 hukuk fakültesinin 29'unda dekanların vekâleten görev
ğı açığa çıkarken 17'si ise hukukçu bile değil. Üniversitelerin neredeyse yarısını
leten yöneten dekanların içinde veterinerlik, kimya ve ilahiyat eğitimi alanlar



HUKUK FAKÜLTESİ

☑ An obituary published by Gaziantep Üniversitesi made the subjects of several news stories because it revealed the kinship relations at the said university.⁵⁴

☑ The rectorates of Pamukkale Üniversitesi and Munzur Üniversitesi became the most recurrent news items with regards to the irregular academic position announcements and appointments. In 2017, it was disclosed that the rector of Pamukkale Üniversitesi Hüseyin Bağ published a position announcement for his wife and appointed her to the secretarial office of a department; following the news stories about this situation, the Higher Education Council (YÖK) opened an investigation on the rector, and Mr. Bağ was suspended.⁵⁵ During the investigation, it was revealed that this rector had in fact simultaneously been appointed to 22 posts including 16 deanships, directorships of 3 colleges and 2 institutes as well as a techno-city.⁵⁶ In addition, during his term of office as the rector, he appointed himself as the manager to a company in which the university is a share-holder and in doing so gained 11.000 Turkish Liras per month.⁵⁷

☑ According to another news stories regarding Pamukkale Üniversitesi, the appointment of the nephew of a deputy as permanent teaching staff to the university was cancelled by the court on the grounds that “it was not done in accordance with the rules and regulations.”⁵⁸

54 Vefat ilanı üniversitedeki akrabalık ağını ortaya çıkardı, <https://www.sozcu.com.tr/2020/gundem/vefat-ilani-universitedeki-akrabalik-agini-ortaya-cikardi-6124148/>

55 YÖK Pamukkale University Rektörü Bağ hakkında soruşturma açıldığını açıkladı: <https://www.a24.com.tr/yok-pamukkale-universitesi-rektoru-bag-hakkinda-sorusturma-acildigini-acikladi-haberi-40195449h.html?h=0>

56 Eşine özel kadro açan rektörün asıl bombası şimdi patladı, 22 makamı varmış: Sözcü yazarı Deniz Zeyrek yazdı, <https://www.yenicaggazetesi.com.tr/esine-ozel-kadro-acan-rektorun-asil-bombasi-simdi-patladi-22-makami-varmis-sozcu-yaz-294170h.htm>

57 Eski rektör, kendine 11bin TL ek maaş bağlamış!, <https://www.gather.com.tr/haberler/detay/eski-rektor-kendine-11-bin-liralik-ek-maas-baglamis-/4413b557b95042eb8d40cedee0b09f83>

58 Kişiye özel atamaya mahkemeden engel, <http://haberci.ajanspress.com.tr/pad/press/OTk0ODEyO-TAmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>

☑ The rector of Munzur University Mr. Ubeyd İpek came up in several news stories with his irregular appointments. For instance, Mr. İpek appointed a person who does not have an equivalence of PhD dissertation as associate professor. Despite having committed many other irregular appointments, no lawsuit was opened against him.⁵⁹ In order to be able to appoint one of his fellow townsmen to the Faculty of Sports Sciences, Ubeyd İpek published an announcement pointing directly to the said fellow townsman's PhD dissertation.⁶⁰ In addition to these cases, the news stories also claimed that the rector appointed the owner of fish restaurant that he frequented to a post at the university; that he recruited his brother and nephew without proceeding a just exam, that he allocated only 2 or 3 professors to the management of all the academic units, disregarding the other professors and that all these irregularities had been disclosed by the syndicates and NGO's of Tunceli, the city in which the university is located.⁶¹ Moreover, the decline the university had undergone during the Rector İpek's term of office was covered in the media as follows: "In 2018, because no students are admitted, several departments attached to the Faculty of Engineering such as Bio-Engineering, Environmental Engineering, Chemistry Engineering, Geology Engineering, Metallurgical and Materials Engineering, Mechatronics Engineering and Food Engineering were closed. The majority of the 40 teaching staff members of those closed departments were transferred to the Technical Vocational School and some of them to other departments of the university. The number of students at the Faculty of Engineering

59 Denkliği olmayan kişi yardımcı doçentliğe atanmış, <http://haberci.ajanspress.com.tr/pad/press/OTgzNzUzMTkmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>;

60 Munzur University'nde adrese teslim kadro ilanı, <https://bianet.org/bianet/insan-haklari/235081-munzur-universitesinde-adrese-teslim-kadro-ilani>

61 Üniversitelerde liyakatsizlikte yeni bir boyut! 'Rektör balıkçısını akademisyen yaptı', <https://abcgazetesi.com/universitelerde-liyakatsizlikte-yeni-bir-boyut-rektor-balikcisini-akademisyen-yapti-360234>, 15 STK ve Alevi örgütü: Munzur University Rektörü Ubeyde İpek, şoförüne, balıkçısına kadro tahsis ediyor, cemaatleri koruyor, Dersimlilere ayrımcılık yapıyor, <http://gold.ajanspress.com.tr/extih/482330324/4/8CE18446-F88D-EA11-BA55-001A6465F174>; Eğitim-Sen Dersim Şubesi: Üniversitelerde Usulsüz Atamalara Son Verilsin, <http://haberci.ajanspress.com.tr/pad/press/OTgwOTU0NzMmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>

decreased with a rate of 65 %. In 2018, the departments of Econometrics, Economics, Business Administration, Public Finance, Political Sciences and International Relations attached to the Faculty of Economic and Administrative Sciences were closed. There is no information about the teaching staff of those closed departments. According to some news stories, those staff members are still paid regularly.”⁶²

☑ The Rector of Karadeniz Teknik Üniversitesi (KATÜ) Prof. Dr. Süleyman Baykal allocated his three daughters, one of his sons-in-law and his nephew as members of the teaching staff at the School of Medicine. The former rector of Çanakkale 18 Mart Üniversitesi (ÇÖMÜ) Yücel Acer appointed his wife as employee to the Sanitary and Culture Department and 250 academicians of this university had some relatives at the university. The situations similar to Pamukkale Üniversitesi can be found at Batman as well as Diyarbakır Dicle universities. The Rector of Batman Üniversitesi Prof. Dr. Aydın Durmuş recruited his wife and son as teaching staff members to the university. The Rectorate of Dicle University’s Department of the Personnel published in June 2020 two announcements for the recruitment of two dietitians; however, at the official website of the university, there was only one person recruited. Besides, the person recruited, Süheyla Betül Topal, daughter of Mr. Giray Topal, Dean of the Faculty of Education at Dicle Üniversitesi. Moreover, Ms. Topal had only 70 points at the KPSS admission exam and there were other candidates with higher scores. Similar cases revealed at Gaziantep and Mersin universities. For instance, at Mersin Üniversitesi, the wives of the administrative staff were appointed as academic teaching personnel to the same university. The Rector of Mersin Üniversitesi Mr. Ahmet Çamsarı’s nephew had a post at the Faculty of Education. Finally, the wives and children of the teaching staff at Sivas Cumhuriyet Üniversitesi won the admission

62 “Munzur Rektörü’ne daha ne kadar müsaade edeceksiniz”, <https://www.pembepusula.org/munzur-rektoru-ne-daha-ne-kadar-musaade-edeceksiniz/36244/pembepusulagazetesi>

exam opened by the same university.⁶³

☑ The Rector of Siirt Üniversitesi, accused of using the university's budget for his own luxury expenses, was forced to resign. The said rector had also got his brother appointed to the university as a member of the teaching staff.⁶⁴

☑ Harran University published an academic position announcement specific to the daughter of the Dean of the Faculty of Education. The work description was detailed in such a way to define the Dean's daughter.⁶⁵

☑ The Turkey's Pharmacist Union (TEB) denounced that Ağrı İbrahim Çeçen Üniversitesi published a "customized" announcement for the position of an associate professor.⁶⁶

☑ The Odabaş Hospital attached to Van Yüzüncü Yıl Üniversitesi published a personnel recruitment announcement whose admission criteria were specific to the daughter of Mr. Salih Akman, Mayor of Van Tuşba city from the Justice and Development Party (AKP-the party of the government), and she happened to be the only person recruited.⁶⁷

☑ Dilara Yazgan spoke to the press about the injury that she experienced with regard to the "customized" personnel recruitment announcement published by the Odabaş Hospital attached to Van Yüzüncü Yıl Üniversitesi; she said "Even though I got 83

63 Nepotizm üniversiteleri teslim aldı: Rektörün 3 kızı, 1 damadı ve yeğeni aynı üniversitede, <https://www.cumhuriyet.com.tr/haber/nepotizm-universiteleri-teslim-aldi-rektorun-3-kizi-1-damadi-ve-yegeni-ayni-universitede-1758345>

64 Siirt University'nin lüks düşünkü rektörü, <http://gold.ajanspress.com.tr/extp/OTY5MDY4ODAmMS-Y1ODUwNCYwJjE=>

65 Dekan, kişiye özel ilanla kızını öğretim görevlisi yaptı, <https://www.memurlar.net/haber/925140/>

66 TEB'den kadro ilanı tepkisi: Kişiye özel ilan açmaktan usanmadılar, <http://gold.ajanspress.com.tr/extih/479181367/4/321F25D2-DE8D-EA11-BA55-001A6465F174> ; Ağrı İbrahim Çeçen University'nde adrese teslim ilan, <https://aptalist.com/news/117204/agri-ibrahim-cecen-universitesi-nde-adrese-teslim-ilan>

67 Üniversite rektöründen belediye başkanının kızına sipariş kadro, <http://www.krttv.com.tr/gundem/uni-versite-rektorunden-belediye-baskaninin-kizina-siparis-kadro-h46734.html>

points at the admission exam, I wasn't admitted to the post that I had dreamed about for years." She also added that she asks the authorities repair this injury at once.⁶⁸

☑ Bolu Abant İzzet Baysal Üniversitesi (BAİBÜ) published "customized" announcements for several teaching positions.⁶⁹

☑ When the claims that the irregularities occurred during the PhD exams at Kocaeli Üniversitesi Faculty of Architecture took the headlines, the rector reported that an investigation was opened on the said exams.⁷⁰

☑ According to a news story, the academic position announcements published by Adıyaman Üniversitesi for one of its faculties and technical vocational schools contained some admission criteria specific to certain persons and clearly against the principle of equality defined by the Higher Education Council (YÖK).⁷¹

☑ Birgivi Islamic Sciences Department opened just two years earlier at Ege Üniversitesi and despite not even having its own building, published 7 academic positions announcements.⁷²

☑ Aydın Adnan Menderes Üniversitesi published an academic position announcement in which the application criterion was the subject of a PhD dissertation that defined a certain person.⁷³

68 Van YYÜ'de torpilli alım davalık oldu, <http://gold.ajanspress.com.tr/extih/479938793/4/321F25D2-DE8D-EA11-BA55-001A6465F174>

69 BAİBÜ'de kişiye özel kadro açıldı iddiası, <http://haberci.ajanspress.com.tr/pad/press/OTc4Nzk0O-TUmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=874394>

70 Rektörden sert tepki, <http://haberci.ajanspress.com.tr/pad/press/OTc4OTA1OTYmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>

71 Adıyaman University bir ilanı daha sınırlandırdı, <https://www.memurlar.net/haber/927732/adiyaman-universitesi-bir-ilani-daha-sinirlandirdi.html>

72 Ege University'nin kriter uygulaması mahkemelik oldu, <http://gold.ajanspress.com.tr/extih/480436183/4/8CE18446-F88D-EA11-BA55-001A6465F174>

73 Yine kişiye özel ilan, <https://www.birgun.net/haber/yine-kisiye-ozel-ilan-316690>

Çıkarılan akademisyenlerin yüzde 97'si kendisini Türkiye'de güvende hissetmiyor

Çıkarılan Akademisyenler (SAR), 15 Temmuz sonrasında görevden ihraç edilen akademisyenlerin yüzde 97'sinin Türkiye'de kendisini güvende hissetmediğini, yüzde 93'ü ise göreve dönseler bile üniversite ortamında saldırıya maruz kalacaklarını düşünüyorlar.

15 Temmuz 2020

GÜNDEM



Munzur Üniversitesi'nde adrese teslim kadro ilanı

Şüphesizlikleriyle çok kez gündeme gelen Rektör Ubeyde İpek, emşerisi olan V. A.'yı Spor Bilimleri Fakültesi Antrenörlük timi bölümüne almak için "Antrenörlerin iş doyumu hususunda çalışmak olmak" koşuluyla doğrudan adrese teslim eden adrese teslim ilan çıkardı.

Hitit Üniversitesi'nde kişiye özel kadro ilanı

Hitit Üniversitesi'nde yayımlanan bir akademik kadro ilanında aranan şartlar kişiye özel kadro ilanı olarak tanımlandı.

İzmir Akademi Üniversitesi 'kontenjan kandalı' ile çalkalanıyor!

İzmir Akademi Üniversitesi YÖK e-postasıyla uyarıldı. Üniversite, yurt dışından

☑ It was claimed that each of 27 academic positions announcements published by Ankara Hacı Bayram Veli Üniversitesi was drafted in details in the way to point to specific persons.⁷⁴ In one of such announcements, it was stated that only the persons having a PhD in the “Old Turkish Literature” shall be admitted for the university’s Erasmus Coordination Office. In another announcement, the admission criterion for the Project Coordination and Research Center was to be “a graduate of the Department of Art Education.”⁷⁵

☑ Çorum Hitit Üniversitesi published an irregular academic position announcement for its Department of Sports Management indicating the criterion of “having a diploma of second-level swimming coach,” even though the said department’s campus was situated in the district of Bayat where there were no swimming facilities. Again the same university published an academic position announcement in the Official Gazette stating that the candidates applying for the position at the History Department of the Faculty of Arts and Sciences must have completed their PhD’s at the “Department of Medieval History on the life of the Vikings before converting to Christianity.”⁷⁶

☑ Gümüşhane University published an announcement for two academic positions for its Torul Vocational Institute, Social Services and Counseling Department’s Social Services Program. However, the special conditions detailed in the announcement did not give any possibility to the candidates with PhD’s in the area of “Social Services” to apply for those positions.⁷⁷

☑ According to some news stories, the close relatives of cer-

74 Bir üniversitede daha ‘nokta atışı’lı kadro ilanı, <http://gold.ajanspress.com.tr/ex-tih/481037699/4/321F25D2-DE8D-EA11-BA55-001A6465F174>

75 Üniversitede yine kadro skandalı, <https://odatv4.com/bakalim-yok-gerekeni-yapacak-mi-10122054.html>

76 Hitit University’nde kişiye özel kadro ilanı, <https://www.yolculukhaber.net/hitit-universitesinde-kisiye-ozel-kadro-ilani>

77 Gümüşhane University gecekondü atamalarına devam ediyor, <https://www.memurlar.net/haber/924948/gumushane-universitesi-gecekondo-atamalarına-devam-ediyor.html>

tain deputies, rectors and academicians were favored during the admission processes. For instance, at some universities, those relatives who scored lesser than other candidates in the writing exams were given higher points in the oral exams so that they could be admitted even so. And the other candidates obtaining higher scores in the writing exams were given lesser points in the oral exams so as to be disqualified.

☑ Necmettin Erbakan Üniversitesi whose rector is the former AKP (Justice and Development Party) deputy Cem Zorlu became the subject of several news stories with the above mentioned irregularities. The relatives of the university's faculty members were promoted even if they got low scores in the writing exams but compensated by higher scores in the oral exams or interviews. These news stories stated in details the names and the scores of both disqualified and promoted candidates.⁷⁸

☑ Mersin Second Administrative Court decided for the “stay of execution” concerning an academic position announcement for the recruitment of an associate professor in which the criteria were targeting people who were not working in the related area.⁷⁹

☑ The Turkish Education Syndicate denounced that all the academic and administrative positions at Afyon Kocatepe Üniversitesi were allocated to members of certain religious orders, communities, foundations and relatives.⁸⁰

☑ Konya Karatay Üniversitesi published a “customized” aca-

78 ‘Torpil’in adresi bu kez Konya Necmettin Erbakan Üniversitesi mi?, <http://gold.ajanspress.com.tr/ex-tih/479007294/4/8CE18446-F88D-EA11-BA55-001A6465F174>

79 Mahkeme ‘MEÜ’deki Kayırmacılığa’ Dur Dedi, <http://haberci.ajanspress.com.tr/pad/press/OTc2M-DU2MjcmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>

80 Afyon Kocatepe Universitynde İdareci Ve Akademik Kadrolar Cemiyet, Cemaat, Vakıf, Akraba Ve Eş Dostlara Parsel Parsel Mi Veriliyor?, <https://www.afyonyerelbasin.com/afyon-kocatepe-universitesinde-idareci-ve-akademik-kadrolar-cemiyet-cemaat-vakif-akraba-ve-es-dostlara-parcel-parcel-mi-veriliyor/59373>

demic position announcement for the recruitment of a lecturer at the History Department, indicating that the admission criterion was to have “a B.A. from the Faculty of Theology.”⁸¹

☑ The criteria for admission stated in the academic position announcement published by Düzce Üniversitesi Social Psychology Department corresponded literally with titles and subjects of the M.A. thesis and PhD dissertation of an academician named S.S.⁸²

☑ Because the admission criteria stated in the academic position announcement published by Adıyaman Üniversitesi corresponded with the subject of PhD dissertation of one of the candidates, only one person had the right to take the written exam.⁸³

☑ It was reported in the media that a motion was proposed to the Parliament about the rector of Ardahan Üniversitesi regarding with a series of academic rights violations at the top of which was the irregular recruitment processes.⁸⁴

☑ The Rectorate of Ege Üniversitesi modified the admissions criteria in the academic position announcement for professorship to the Faculty of Literature Department of Philosophy. Considering the departments most urgent needs, the Administrative Board had determined the admission criteria as “having worked on the Philosophy of Science and the Philosophy of Language.” However, the rectorate changed this criterion to “having worked on “Philosophy of Religion and Postmodernism,” disregarding the decision of the Department’s Board. The only person having the criteria

81 Adrese teslim kadro ilanı: Tarih bölümü için ilahiyat şartı istediler, <https://www.gercekgundem.com/egitim/229629/adrese-teslim-kadro-ilani-tarih-bolumu-icin-ilahiyat-sarti-istediler>

82 Düzce University’nde teze göre ilan! Şartları sağlayan bir kişi var, <https://www.gercekgundem.com/guncel/237162/duzce-universitesinde-teze-gore-ilan-sartlari-saglayan-bir-kisi-var>

83 Rektör Turgut’tan kişiye özel kadro, <http://www.sehirdebuhafta.com/haber/9135/rektor-turgut-tan-kisiye-ozel-kadro.html>

84 Ardahanlı Milletvekilinden Rektör İçin Soru Önergesi!, <http://www.kuzeyanadolugazetesi.com/ardahanli-milletvekilinden-rektor-icin-soru-onergesi/3276/>

stated in the announcement applied for the said position. The objection filed by Associate Professor Mehmet Kuyurtar, the Dean of the Department of Philosophy, to the rectorate was rejected. Mr. Kuyurtar then filed a lawsuit against the rectorate on the grounds of the irregular academic position announcement and won the case. The court recognized the validity of the Dean's claims and decided to cancel the procedure.⁸⁵

✓ Several journals covered the story about the irregularity in the academic personnel admission exam at Sivas Cumhuriyet Üniversitesi that was brought to the legal courts. The examining body accorded 98 points in the oral exams to a candidate which scored lower than the other candidates in the written exams so as to clear the way to his recruitment. Upon objection, Sivas Administrative Court investigated the case and decided to invalidate the oral exams.⁸⁶ After this court decision, the exams were repeated but the result did not change: the same person with the lowest score in the written exams won the oral exams with the highest marks. The other candidates claimed that the questions were given to the said person beforehand.⁸⁷

✓ At the Middle East Technical University in Ankara, the appointment of the deans traditionally followed a clear-cut procedure: first a straw vote used to be organized within the faculties and the candidate having the highest vote used to be announced to the Higher Education Council (YÖK) by the rector for the official appointment. However, in December 2020, the Rector Mustafa Verşan Kök wanted to appoint the deans to three faculties by himself. Mr. Kök, appointed for the second time in the Summer

85 Mahkeme kararı: Ege University'ndeki kadro şahsa özel, <https://adliyekoridoru.com/haber/mahkeme-karari-ege-universitesindeki-kadro-sahsa-ozel-88807>

86 Sözlü sınavdaki usulsüzlük yargıdan döndü, <http://gold.ajanspress.com.tr/extih/487395181/4/8CE18446-F88D-EA11-BA55-001A6465F174>

87 Usulsüzlük yargıdan dönmüştü...Aynı aday yine sözlü mülakatla kazandı: 'Sınav soruları verildi' iddiası, <https://www.veryansintv.com/usulsuzluk-yargidan-donmustuayni-aday-yine-sozlu-mulakatla-kazandi-sinav-sorulari-verildi-iddiasi>

of 2020 directly by the President, citing the COVID-19 pandemic as a reason declared that he would chose himself the candidates for deanships and send the names of the candidates to the Higher Education Council (YÖK).⁸⁸ The former deans were appointed to the two faculties by proxy and the Deputy Rector Mehmet Zeyrek who held 10 different academic positions simultaneously was appointed by proxy as the dean of the Faculty of Arts and Sciences.⁸⁹

Another practice that causes academic rights violations involves the procedures of the equivalence that the Higher Education Council (YÖK) should grant to PhD dissertations completed at the international universities:

☑ The International Balkan University Northern Macedonia Law School – the President of Turkish Grand National Assembly Mustafa Şentop (an AKP deputy) is an honorary member of the Board of Trustees – was declared as a university having the equivalence recognized by the Higher Education Council (YÖK) despite the fact that the said university was not listed in the Student Selection and Placement Center’s preference guidebook. According to the news stories, in order to pursue graduate studies in law in the said university, it is enough to have a high school diploma and pay 29.500 Turkish Lira per year as tuition fee.⁹⁰

☑ The President of the Higher Education Council (YÖK) Prof. Dr. Yekta Saraç declared that the students who rank in the top 1000 during the university exams and registered international universities “will be granted with the possibility for undergraduate transfer to Turkish universities” due to the pandemic conditions and that abusing this prorogation, in some places irregular transfers were detected. Mr. Saraç confirmed the objections of a deputy who claimed that “certain students who ranked in the top 700.000 or

88 ODTÜ’de dekanlık seçimi tartışması, <https://sol.org.tr/haber/odtude-dekanlik-secimi-tartismasi-18119>

89 ODTÜ’de ilginç atama, <https://sol.org.tr/haber/odtude-ilginc-atama-21127>

90 Yıllık 29 bin TL’ye sınavsız hukuk eğitimi dönemi, <https://www.gazeteduvar.com.tr/gundem/2020/09/03/yillik-29-bin-tlye-sinavsiz-hukuk-egitimi-donemi> ; İktidar kendi çocukları için üniversite kurmuş, <https://www.habererk.com/gundem/iktidar-kendi-cocuklari-icin-universite-kurmus-h132998.html>

even 800.000 during the university exams registered in the School of Medicine at the international universities and then effectuated undergraduate transfers to the private universities in Turkey.” Mr. Saraç added that they wrote to the universities regarding with those case and asked to cancel such registrations. However, he said, “Once the registration was effectuated, the administrative courts consider it as an ‘acquired right’ and cannot undo it.”⁹¹ On the other hand, the Turkish Union of Physicians insisted that those registrations should be cancelled since “those unjust graduate transfers are against the equality of opportunities!” They demanded to “stop this labor drain!”⁹²

☑ In the report that the Higher Education Council (YÖK) sent to the Higher Education Planning, Evaluation, Accreditation and Coordination Council (YÖDAK) in Turkish Republic of Northern Cyprus on 8 April 2020, it was stated that according to the results of the YÖK’s survey, from 2015 to 2017, 1893 Turkish students registered to the Near Eastern University and again in the same period 1854 Turkish students registered to the International Cyprus University through graduate transfers, majority of which involved forgery. However, the YÖDAK did not give any response to this interrogation.⁹³ When one considers that those students who transferred illegally to international universities coming back to Turkey after graduation would have equal conditions with other graduates, one can see that the basis of future violation of rights is being constructed today.

The fact that the rectors have become the only decision-making authority paves the way to taking many decisions against the academic traditions and

91 YÖK Başkanı Saraç, pandemide yurt dışından Türkiye’deki üniversitelere usulsüz yatay geçişler yapıldığını doğruladı, <https://www.haberturk.com/yok-baskani-pandemide-usulsuz-yatay-gecisler-yapildi-haberler-2859224>

92 YÖK’ten usulsüz yatay geçişlerle ilgili üniversitelere uyarı: kayıtları silin, <http://haberci.ajanspress.com.tr/pad/press/OTkwnjE4NzEmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=874394>

93 YÖK sordu, YÖDAK HASIRALTI etti!.., <https://aptalist.com/news/154842/yok-sordu-yodak-hasiralti-etti>

renders the unlawful practices a matter of routine. In what follows is a list of all the academic rights violations committed in this framework and covered by the media:

☑ An objection made to the Higher Education Council (YÖK) regarding with the appointment of an academician who was accused of plagiarism remained unanswered for ten years and finally, upon the decision that prescription period was expired, the case was brought to the Council of State.⁹⁴

☑ The Rector of Sivas Cumhuriyet Üniversitesi Mr. Alim Yıldız accepted the demission of the Dean of the School of Medicine Prof. Dr. İlhan Çetin, his concurrent in the elections of the rectorate, despite the written notices from the Higher Education Council's contrary recommendations.⁹⁵

☑ Because the Rector of Batman Üniversitesi Mr. Aydın Durmuş did not effectuate the appointment of an academician who had acquired the right to the associate professorship, the said academician fell ill due to the stress and died. A similar case at the same university was reported by the colleagues of an academician who had again acquired the title of associate professorship but was not recognized so by the rector.⁹⁶

☑ The Senate of Istanbul Üniversitesi made a decision according to which the students having a B.A. in any areas could pursue their graduate studies at the Faculty of Law with the score of the ALES exam and would be an academician in the same faculty. With this decision, it became possible to have a PhD or become a lecturer in law without having taken any law classes neither in the un-

94 Rektör hakkında YÖK'te 9 Yıl Bekletilen Soruşturma Danıştay'dan Döndü, <http://gold.ajanspress.com.tr/extih/482732554/4/8CE18446-F88D-EA11-BA55-001A6465F174>

95 Rektörlük seçimlerinden sonra rakibi olan Dekan'ın istifasını aldı, <https://www.memurlar.net/haber/922232/yeniden-secilen-rektor-rakibi-dekanin-istifasini-aldi.html>

96 İki vefat ikisinde de rektör Durmuş'un timsah gözyaşları, <http://www.batmanyon.com/haber/29397/iki-vefat-ikisinde-de-rektor-durmus-un-timsah-gozyaslari>

Üniversitedeki tacizde sona doğru

Trakya
Üniversitesi
Güzel Sanatlar
Fakültesi
Öğretim
Görevlisi O. D.
hakkında
öğrenc
yönelik
taciz ve
kötü
kullanım
suçları



MAHKEME MEÜ'DEKİ 'KAYIRMACILIĞA' DUR DEDİ

Kişiyeye özel kadro ilanlarıyla sık sık gündeme gelen Mersin
Üniversitesinin, Mühendislik Fakültesi Makine Mühendisliği
Bölümü, Mekanik Ana Bilim Dalı 1. derece doçent kadrosu için
09 Ağustos 2019 tarihinde açtığı ilan hakkında Mersin 2. İdare
Mahkemesi'nin yürütmeyi durdurma kararı verdiği ortaya çıktı.
SAYFA 6'da

dergraduate or graduate programs. Hence it is most probable that the quality of education will deteriorate at the Faculty of Law and hundreds of people who deserve those positions will be deprived of their rights.⁹⁷

☑ Another irregularity regarding with procedures not based on the merit system at the faculties of law involves the appointment process of the deans. According to news stories, among the 73 faculties of law at the nation-wide universities, 29 of them were headed by the deans appointed by proxy and 17 of them headed by the deans that did not have any degrees in law. Half of the deans presiding over the faculties of law were veterinarians, chemists or theologians.⁹⁸

☑ A news story criticized the fact that academicians without any qualifications in law were appointed to the faculties of law while the contingent of faculties of theology was increased 192% in within the last 10 years.⁹⁹

☑ A complaint was filed to the Presidency's Directorate of Communications (CİMER) regarding with a PhD defense jury at Ardahan Üniversitesi that was allegedly not constituted according to the rules. Despite this complaint, the student passed the said jury and got his title of doctorate, and the administration tried to give him a position at the university, sending written notices to the departments to hire this person who did not have the required qualifications as a lecturer.¹⁰⁰

97 Sevilay Yılman isyan etti: Tam bir skandal! Yazıklar olsun!, <https://www.gercekgundem.com/egitim/212703/sevilay-yilman-isyan-etti-tam-bir-skandal-yaziklar-olsun>

98 Dekanı hukukçu olmayan hukuk fakülteleri, <https://www.birgun.net/haber/dekani-hukukcu-olmayan-hukuk-fakulteleri-320687>

99 Tarikat baskısı kontenjan arttırıyor, <http://gold.ajanspress.com.tr/extp/OTY4ODM0MDgmMSY1O-DUwNCYwJjE=>

100 Ardahan Universitynde Kanun ve Yönetmeliklere Uygun Olarak Yapılmayan Tez Uygulaması CİMER'e Taşındı, <https://www.beyazgundem.com/genel/ardahan-universitesinde-garip-tez-h987941.html>

☑ A corruption investigation was opened concerning Trakya University at which, during the former rector's term of office, the irregular personnel recruitment was a routine, the students were asked to pay extra fees during the registration and transferring unlawfully to the foundation of the university the promotions of the contracted bank where the salaries of the university personnel were deposited. The Investigation Board of the Higher Education Council (YÖK) filed a lawsuit about the former and the present rectors as well as some academicians accused of corruption.¹⁰¹

☑ An investigation was opened on Prof. Dr. Esergöl Balcı who works on the relations between religious orders and education. Dokuz Eylül University where she was a faculty member justified the filing of the investigation, stating that “neither the aim of the research nor with whom the academician realized it was clear; besides, it seems the researcher made her research without obtaining necessary authorizations.” Ms. Esergöl resigned, after giving her defense, declaring that “the things got worse in the work environment.”¹⁰² The research report that caused Ms. Esergöl's resignation was published in 2020.¹⁰³

The fact that the merit principle is no longer applied in the appointments of both the rectors and the teaching personnel leads to the prevalence of corruption in the academic production, starting with plagiarism. Below is a list of news stories regarding academic merit and plagiarism:

☑ 6 rectors appointed directly by the President in the state of emergency period have only 3 publications in scientific indexed

101 Trakya Universityndeki Yolsuzluk Soruşturması Sonuçlandı..., <https://www.edirneajans.com/trakya-universitesindeki-yolsuzluk-sorusturmasi-sonuclandi/>

102 Prof. Dr. Esergöl Balcı: ‘Battaniyeden tahrik olan şeyhler var’, <https://www.cumhuriyet.com.tr/haber/prof-dr-esergul-balci-battaniyeden-tahrik-olan-seyhler-var-1765791>

103 Tarikat araştırması yaptığı için soruşturma açılan akademisyen: 1 milyon çocuk tarikatların elinde, <https://www.durushaber.com.tr/yasam/tarikat-arastirmasi-yaptigi-icin-sorusturma-acilan-akademisyen-h53775.html>

journals while the other 3 do not have any articles published.¹⁰⁴

☑ In an article published in 2020 in the Higher Education journal, it was claimed that the academic quality of the rectors in Turkey was quite low according to the international evaluations criteria and that the half of all the rectors had zero points in the H-index.¹⁰⁵ The University Ranking by Academic Performance (URAP) ranks the universities by evaluating scientific research outputs of the rectors in three years after their appointment. [...]. “According to the URAP, the rectors of 32 top universities have around 80.5 outputs in the database of the Web of Science. However, all the universities governed by the unqualified rectors fall at lower ranks within two years that such rectors were brought to office in both URAP lists and in production of knowledge in general.¹⁰⁶

☑ 36 Rectors do not have any articles published in international refereed journals. Among those rectors are former AKP (Justice and Development Party) deputy Fatma Seniha Nükhet Hotar, a TV preacher Nihat Hatiopoğlu and the star of TV programs blessing the party in power (AKP) Yaşar Hacısalihoğlu.¹⁰⁷

☑ Duplication was revealed in a journal belonging to the Scientific and Technological Research Council of Turkey (TÜBİTAK). TÜBİTAK prevented access to the said article and filed a crime report to the Higher Education Council (YÖK). After three years, the

104 Üniversiteler Nereye? Liyakati Hiç Sayan Rektör Atamaları, Baskı Ortamı ve Eğitim Kalitesindeki Düşüş Artan Bir Kaygıyla Takip Ediliyor, <http://haberci.ajanspress.com.tr/pad/press/OTYyNjExMDgmMS-Y1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>; Özyeğin University Kurucu Rektörü Erhan Erkut: Atanan altı rektörün toplam makale sayısı 3, dördü ise sıfır makaleli!, <https://t24.com.tr/haber/ozyegin-universitesi-kurucu-rektoru-erhan-erkut-6-univeristeye-yapilan-rektor-atamalarini-elestirdi-alti-rektorun-endeksli-dergilerdeki-toplam-makale-sayisi-3-dordu-ise-sifir-makaleli-biz-liyakat-dedikce-makalesiz-rektorler-gelmeye-devam-ediyor,887158>

105 Rektör seçimleri ve liyakat, <https://bianet.org/bianet/siyaset/237232-rektor-secimleri-ve-liyakat>. Yayınsız rektörler nereye?, <https://medium.com/@ErhanErkut/yay%C4%B1ns%C4%B1z-rekt%C3%B6rlerle-nereye-80d3dda3769e>

106 Ibid

107 36 rektör var, tek makale yok! Liyakat yok, yandaşlık var, <https://www.patronlardunyasi.com/haber/36-rektor-var-tek-makale-yok-liyakat-yok-yandaslik-var/228683>.

M KANUNU İLE B. YAPILMASINA DAİ

4/2020

E 1 – 4/11/1981 tarihli ve 2547 sayılı Yükseköğretim Kanununun 24 üncü maddesinin (a) fıkrasından sonra gelmek üzere “en az” ibaresi eklenmiş ve (b) fıkrasının ikinci paragrafının son cümlesi aşağıdaki şekilde değiştirilmiştir.

in sekizinci fıkrası

E 2 – 2547 sayılı Kanunun 24 üncü maddesinin (a) fıkrasına “takvime göre y...” ibaresinden sonra gelmek üzere “en az” ibaresi eklenmiş ve (b) fıkrasının ikinci paragrafının son cümlesi aşağıdaki şekilde değiştirilmiştir.

“Jüri üyelikleri, jüri, değerlendirmeye esas alınan raporlar ve başvuru sonucu ilgililere elektronik ortamda erişime açılır ve bu bilgiler, erişime açıldığı tarihi izleyen beşinci gün ilgililere tebliğ edilmiş sayılır.”

MADDE 3 – 2547 sayılı Kanunun 31 inci maddesinin birinci fıkrasına birinci cümlesinden sonra gelmek üzere aşağıdaki cümle eklenmiş ve fıkra da yer alan “öğretim üye yardımcısı” ibaresi “araştırma görevlisi” şeklinde değiştirilmiştir.

“Meslek yüksekokullarının Yükseköğretim Kurulu tarafından belirlenen uzmanlık alanlarına başvuracak olanlar hariç olmak üzere öğretim görevlisi kadrosuna başvuracak adaylarda en az tezli yüksek lisans derecesine sahip olmak şartı aranır.”

MADDE 4 – 2547 sayılı Kanunun 33 üncü maddesinin (a) fıkrasının birinci paragrafına birinci cümlesinden sonra gelmek üzere aşağıdaki cümle eklenmiştir.

“Araştırma görevlisi kadrosuna başvurabilmek için sınavın yapıldığı yılın ocak ayının birinci günü itibarıyla otuz beş yaşını doldurmamış olmak gerekir.”

MADDE 5 – 2547 sayılı Kanunun 36 ncı maddesinin üçüncü fıkrasının dördüncü cümlesine “yeterlik kazanmış olan” ibaresinden sonra gelmek üzere “22/2/2018 tarihli ve 7100 sayılı Yükseköğretim Kanunu ile Bazı Kanun ve Kanun Hükmünde Kararnamelerde Değişiklik Yapılması Hakkında Kanunun 34 üncü maddesinin ikinci fıkrası kapsamındakiler de dahil olmak üzere uygulamalı birimlerde görev yapan öğretim görevlileri ile” ibaresi ve beşinci cümlesine “ders görevi verilen” ibaresinden sonra gelmek üzere “uygulamalı birimlerde görev yapan öğretim görevlileri ile” ibaresi eklenmiştir.

MADDE 6 – 2547 sayılı Kanunun 44 üncü maddesinin (c) fıkrasının üçüncü paragrafının son cümlesi aşağıdaki şekilde değiştirilmiş ve paragrafa aşağıdaki cümle eklenmiştir.

“Açık öğretim öğrencileri, katkı payı veya öğrenim ücretini ödemeleri ve her dönem başında kayıtlarını yenilemeleri koşuluyla bu sürelerle kısıtlı değildir.”

“Açık öğretim sisteminde üst üste dört dönem bu koşulları yerine getirmeyen öğrencinin ilgili programdan ilişkisi kesilir.”

MADDE 7 – 2547 sayılı Kanunun 53 üncü maddesinin (a) fıkrasında yer alan “ve 53/Ç maddesinin birinci fıkrasının (e) bendinde yer alan fiillerle ilgili olarak öğretim elemanlarının” ibaresi madde metninden çıkarılmış, (b) fıkrasının birinci paragrafında yer alan “elemanları, memur ve diğer personeline” ibaresi “elemanlarına” şeklinde değiştirilmiş, paragrafa aşağıdaki cümleler eklenmiş, fıkranın (1) numaralı bendi aşağıdaki şekilde değiştirilmiş, fıkranın (2) numaralı bendine birinci cümlesinden önce gelmek üzere aşağıdaki cümle eklenmiş, mevcut birinci cümlede yer alan “657 sayılı Kanundaki fiillere ilave olarak bu Kanun kapsamındaki kamu görevlileri için kınama”

“kınama” şeklinde değiştirilmiş, (a), (c) ve (1) alt bentleri yürürlükten kaldırılmış, (m) alt bendinde yer alan “”, ibaresi “veya” şeklinde, “veya bunları kurumların herhangi bir yerine asmak veya teşhir etmek” ibaresi

“teşhir etmek yahut kurumların herhangi bir yerine asmak” şeklinde değiştirilmiş ve bende aşağıdaki alt numaralı bendinde yer alan “Devlet yükseköğretim kurumlarında brüt” ibaresi “Brüt” şeklinde,

kurumlarında brüt” ibaresi “veya” şeklinde, “657 sayılı Kanundaki fiillere ” ve olarak bu ”u görevlileri için aylıktan” ibaresi “Aylıktan” şeklinde değiştirilmiş ” kten

“daki alt bentler eklenmiş, (4) numaralı bendinde yer alan ”u görevlileri için aylıktan” ibaresi “Aylıktan” şeklinde değiştirilmiş ” kten

yapan ”lıklı öğretim elemanlarının bulundukları kademe ”aresi “vakıf yükseköğretim kurumları öğreti.”nden 1/30 ila 1/8” şeklinde ve “657 sayılı K”in kademe ilerlemesinin durdurulmas

ne” şeklinde değiştirilmiş, bendin

YÖK declared “no need for proceedings about the authors since there were not any definite and concrete evidence.” The Administrative Court ruled in favor of the TÜBİTAK and canceled the YÖK’s decision that “was not based on a competent board.” Nevertheless, one of the authors of the duplicated article Prof. Dr. Bekir Süha Parlaktaş was appointed as the deputy rector of Tokat Gaziosmanpaşa University. The other author, Prof. Dr. Fikret Erdemir, who was the deputy rector at the time of the denouncement of the duplication, was reappointed to the same position.¹⁰⁸

☑ Another example of abuse and corruption in the academic production involves the attempts of some academicians paying third parties to write articles for them that can be published in international journals. A network creating fake websites through phishing method by copying the source codes of international internet sites publishing scientific articles swindled around 50 people with 1 million Turkish Lira. As a result of an operation realized by the Van Police Authorities, the suspects were arrested.¹⁰⁹ News stories covered the analyses of this kind of corruption pointing to the significant role of the attitude isolating scientific activities from its social context and reducing thereby the academic productions with the potentiality of getting points.¹¹⁰

☑ The secretary of the Education Syndicate’s Bolu Branch Mr. Cihat Özer denounced a serious plagiarism in the Higher Education Council’s (YÖK) website named as the Lessons for the Higher Education Institutions (yokdersleri.gov.tr). The lecture notes entitled as “Public Economy” by Mr. Murat Çak uploaded to the site

108 Rektör ve dekan yardımcısının ‘yayın sahtekârlığı’... TÜBİTAK tespit etti, YÖK görmezden geldi, <https://www.veryansintv.com/rektor-ve-dekan-yardimcisinin-yayin-sahtekarligi-tubitak-tespit-etti-yok-gormezden-geldi>

109 Uluslararası bilimsel sitelerde makale yayınlama vaadiyle 1 milyon TL’lik vurgun: Çoğu akademisyen 50 kişi dolandırıldı, <https://tr.sputniknews.com/turkiye/202009281042925715-uluslararasi-bilimsel-sitelerde-makale-yayinlama-vaadiyle-1-milyon-tlik-vurgun-cogu-akademisyen-50/>; Dolandırılan akademisyenler buzdağının görünen kısmı, <http://haberci.ajanspress.com.tr/pad/press/OTkINTMOMDEmMSY1ODUwN-CYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=874394>

110 Bilim emekçilerinin sınır tanımayan sömürüsü,

for the lessons of the Faculty of Economics and Administrative Sciences Department of Public Finances was in fact almost identical with Hülya Kirmanoğlu's book, "The Analysis of Public Economy," except for the last two chapters. It seems that regarding plagiarism YÖK does not even control its own institutions.¹¹¹

☑ The consequence of the opening universities without programs led to the deficiency of qualified teaching personnel.¹¹² The unqualified people appointed to the academic position had regularly committed plagiarism or had published unscientific and even scandalous writings. For instance, Prof. Dr. Mücahit Dilekmen of the Erzurum Atatürk University Psychological Counselling and Guidance Department wrote lecture notes for his students in which he claimed that the reasons for sexual abuse within the families were "having a 6-8 year-old girl in the family, impotence, precocious physical developments of little girls which can be seductive or the fact that the mother has to work outside at night."¹¹³

☑ Due to the prevalence of the plagiarism in the country's universities, the International Reference Institution left Turkey outside of its recognition.¹¹⁴ In addition, the Turkish academia was rated at the top three in the ranking of universities worldwide with regards to suspicious/false publications.¹¹⁵

☑ This situation caused also a serious decrease in the scientific

111 Akademik çürümede yeni adım: Eğitim Sen Bolu Şube Eğitim ve Yüksek Öğretim Sekreteri Cihat Özer, YÖK'e seslenerek bir kitabının çalıntı olduğunu duyurdu, <http://haberci.ajanspress.com.tr/pad/press/OTU4MTYxMzMmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=58504&subid=&bid=874394>

112 AKP iktidarında üniversiteler, <http://ozgurdenizli.com/akp-iktidarinda-universiteler-tahsin-yesildere/>

113 Profesörden skandal ifadeler: Aile içi istismarda çocuk suçlu gösterildi, <https://www.sozcu.com.tr/2020/gundem/profesorden-skandal-ifadeler-aile-ici-istismarda-cocuk-suclu-gosterildi-5872102/>; İktidarın akademisi ve savunmasız bırakılan çocuklar, <https://www.gazeteduvar.com.tr/yazarlar/2020/06/14/iktidarin-akademisi-ve-savunmasiz-birakilan-cocuklar>

114 2002'den günümüze AKP iktidarında üniversiteler: Bilimsel araştırmalarda geriye gidiş hızlandı, <http://ozgurdenizli.com/2002den-gunumuze-akp-iktidarinda-universiteler-bilimsel-arastirmalarda-geriye-gidis-hizlandi/>

115 Ibid.

production, regressing thereby the position of Turkish universities in the ranking list worldwide. According to a news story, in 2020 in the world's universities ranking list, only two Turkish universities were rated among the first 500 universities.¹¹⁶ Considering that before the state of emergency period, we had 3 universities in the first 300 while we had 10 in the first 500, the degree of regression can be better understood.¹¹⁷

☑ In an international report entitled Closing Academic Space which investigates oppressive state practices in relation to universities in more than 60 countries, Turkey is presented (together with Egypt and Venezuela) as the three countries where they detected the most extreme cases.¹¹⁸

ACADEMIC RIGHTS VIOLATIONS CAUSED BY THE MANAGEMENT OF COVID-19 PANDEMIC

According to several news stories, some university administrators see the pandemic as a means of making economic profits and as an excuse for constraining freedoms. Due to pandemic, some universities cut down the salaries of their academic personnel while some others force their personnel to take a leave without pay or to sign part-time job contracts. All these processes of cutting down salaries and layoffs happened after the Higher Education Council's (YÖK) decision according to which all the personnel working in both state and foundation universities should have the same salary. However, despite this decision, the YÖK did not do anything to protect the rights of academicians. This demonstrates the close relationships between the circle of capital and universities. Moreover, the fact that such violations mentioned above could be easily and frequently done despite the YÖK's decision points to the fact that the academicians are not considered as the subject of rights.

With legal arrangements, even the scientists working on the pandemic are made to obtain authorization in order to be able to share the results of their

116 2002'den günümüze AKP iktidarında üniversiteler: Bilimsel araştırmalarda geriye gidiş hızlandı, <http://ozgurdenizli.com/2002den-gunumuze-akp-iktidarinda-universiteler-bilimsel-arastirmalarda-geriye-gidis-hizlandi/>

117 Ibid.

118 https://mk0rofifiqa2w3u89nud.kinstacdn.com/wp-content/uploads/Uni-restrictions-rpt-final-March-2019.pdf?_ga=2.67960529.1176234814.1611172902-646860307.1611053777, p. 5.

research data. The academicians-physicians working at university hospitals are forced to work overtime, leaving no time left for their academic works. Besides, they are not regularly paid for their overtime hours.

Within the context of “Online Education,” due to the lack of technical infrastructure and psychological counseling, thousands of students who do not have smart-phones or computers and internet access lost their rights to education. Another right violation related to the online education regards with the payment of academicians’ salaries. In addition, the assistant doctors working at university hospitals suffer from many rights violations.

Below is a list of news stories concerning the rights violations in the context described above:

☑ According to a research conducted by the students of Ankara University, 65 students out of 100 experience anxiety disorder in the pandemic period in which they have to pursue their studies online. One of the primary problems that the students encounter is the lack of internet access as well as that of computer; the students demand that their needs should be met during the period of the pandemic.¹¹⁹

☑ In the online education context, due to the decrease decided centrally in face-to-face classes in the M.A. and PhD programs, the quality of education will diminish seriously.¹²⁰

☑ The Higher Education Council (YÖK) decided in July 2020 that all the personnel working at the state and foundation universities should have the same salary. However, despite this decision, many foundation universities proceeded to lay-off with the pretext of

119 Korona virüs ve uzaktan eğitim psikolojilerini bozdu, <https://www.gazetemag.com/koronavirus-ve-uzaktan-egitim-psikolojilerini-bozdu/>

120 Yüzde 40 uzaktan eğitim kararına eğitimcilerden eleştirisi: YÖK değil, hocalar karar vermeli, <https://www.birgun.net/haber/yuzde-40-uzaktan-egitim-kararina-egitimcilerden-elestiri-yok-degil-hocalar-karar-vermeli-303412>

Rapor: 'Türkiye'de akademik özgürlük ciddi zarar gördü; kampüslerde korku ve otosansür yayıldı'

euronews • Son güncelleme: 02/01/2021



pandemic instead of equalizing the salaries.¹²¹

☑ Okan University faculty member Levent Sevgi was first suspended and then dismissed because he had criticized the foundation universities that did not implement the Higher Education Council's decision concerning the equalization of salaries and had not ameliorated the working conditions.¹²²

☑ Mr. Talip Geylan, President of the Turkish Education Syndicate, declared that due to the online education in the context of the pandemic the salaries of the academicians and educative personnel became problematic. He demanded that their salaries should be the same as they were before the pandemic.¹²³

☑ Many assistant doctors could get neither the payments for their standby services nor any payments for overtime hours; and when they objected to this situation they were threatened. Another reason of injury for assistant doctors covered by the media was the postponement of the exams for completion of specializations.¹²⁴

121 YÖK «Eşit ücret» dedi, akademik kıyım başladı, <https://www.gazeteduvar.com.tr/gundem/2020/07/15/yok-esit-ucret-dedi-akademik-kiyim-basladi>

122 35 akademisyen üniversiteden uzaklaştırıldı, rektör 'günlerce uyuyamadım' dedi <https://www.durushaber.com.tr/gundem/35-akademisyen-universiteden-uzaklastirildi-rektor-gunlerce-h51782.html>

123 <https://www.memurpostasi.com/talip-geylan-akademisyenlerimiz-ders-ucreti-problemleri-gideril-meli-57418h.htm>

124 Asistan hekimler adalet istiyor, <https://www.birgun.net/haber/asistan-hekimler-adalet-istiyor-301193>

☑ At some foundation universities, teaching personnel with different statuses suffered from several injuries such as leave without pay, change of positions and salary cut-downs.¹²⁵

☑ Some universities including Ege University¹²⁶ did not pay the additional payments that their academicians earned.¹²⁷

☑ Altınbaş University dismissed some of its teaching personnel, using the pandemic as an excuse.¹²⁸

☑ After the Higher Education Council's (YÖK) decision to equalize the salary of academicians working at foundation universities, Esenyurt University dismissed 35 academicians, under the pretext of the pandemic.¹²⁹

☑ A total of 300 academicians and administrative personnel were dismissed by three universities. Hence the oppressions and civic deaths started with decree-laws continue with neoliberal politics.¹³⁰

☑ Mr. Özgür Gözükara, Board of Trustees member of Arel University, wrote a threatening e-mail to an academician who asked some questions concerning the contracts in the new period, saying that “Yes. You are wicked. I’ve got your message. Don’t worry, we’ll teach you a lesson.” Mehmet Emin, the president of the Education

125 Okan University emekli profesörleri ücretsiz izne çıkarttı, <https://www.gazeteduvar.com.tr/gundem/2020/05/22/okan-universitesi-emekli-profesörleri-uccretsiz-izne-cikartti>

126 Ege University’nde ek ders ücretleri ödenmiyor: Biz bize yeteriz kampanyasına bağış iddiası, <http://gold.ajanspress.com.tr/extih/482542094/4/321F25D2-DE8D-EA11-BA55-001A6465F174>

127 Pandemi sebebiyle uzaktan eğitim altyapısıyla tamamlanan bahar dönemine dair bazı yükseköğretim kurumlarında akademisyenlerin ek ders ödemelerinde belirsiz süreç devam ediyor! <https://www.turkiyeegitim.com/akademisyenlerin-ek-ders-ucretlerini-vermeyen-universiteler-108521h.htm>

128 Altınbaş University emekçisi anlatıyor, <https://patronlarinensesindeyiz.org/2020/07/18/altinbas-universitesi-emekcisi-anlatiyor/>

129 35 akademisyen üniversiteden uzaklaştırıldı, rektör ‘günlerce uyuyamadım’ dedi, <https://artigercek.com/haberler/35-akademisyen-universiteden-uzaklastirildi-rektor-gunlerce-uyuyamadim-dedi>

Akademik kıyım ve akademinin açmazları, <https://www.gazeteduvar.com.tr/yazarlar/2020/08/06/akademik-kiyim-ve-akademisyenin-acmazlari>

130 Akademik kıyım ve akademinin açmazları, <https://www.gazeteduvar.com.tr/yazarlar/2020/08/06/akademik-kiyim-ve-akademisyenin-acmazlari>

Syndicate's Istanbul number 3 Branch declared that they would file a lawsuit about such disrespectful attitudes toward academicians.¹³¹ Arel University also took the headlines when its teaching personnel started a petition on change.org denouncing that their university did not implement the Higher Education Council's decision concerning the equalization of salaries of academicians working at foundation universities.¹³²

☑ Eskişehir Osmangazi University Department of Dentistry prolonged, contrary to the rules of regulation, working hours of academic personnel until 9 pm. These academicians complained that with this order they did not have time left for doing academic researches, training the assistants and doing empirical classes.¹³³

☑ Mr. Kayhan Pala, an academician at Uludağ University Faculty of Medicine Department of Public Health and a member of the Turkish Union of Physicians, made a declaration on 21 April 2020 in a website concerning the COVID-19 pandemic. Afterwards, the Provincial Administrative Board of Bursa Governor's Office filed a criminal complaint about the said academician, claiming that "he misguided the public and caused the risk of a crowd panic."¹³⁴ When the file of investigation was sent to the rectorate of Uludağ University¹³⁵ the rectorate decided to bar the court's decision, stating that "It is a usual academic practice and a Constitutional right for a scientist to observe the pandemic, collect data, analyze

131 Eğitim Sen'den Arel University'ne çağrı: Derhal özür dileyin, <https://abcgazetesi.com/egitim-senden-arel-universitesine-cagri-derhal-ozur-dileyin-361143>

132 Bazı vakıf üniversitelerinde denk ücret ödenmemesi öğretim üyelerince tepki çekti, <http://haberci.ajanspress.com.tr/pad/press/OTg4NDczNjMmMSY1ODUwNCYwJjE=?customer=a0f69adf-dd8d-e-a11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>

133 Türk Sağlık Sen'den Diş Hekimliği Fakültesi tepkisi, <http://gold.ajanspress.com.tr/extih/479751098/4/8CE18446-F88D-EA11-BA55-001A6465F174>

134 Prof. Dr. Kayhan Pala'ya soruşturma!, <http://gold.ajanspress.com.tr/extih/472281263/4/8CE18446-F88D-EA11-BA55-001A6465F174>

135 Prof. Dr. Kayhan Pala hakkında Uludağ University Rektörlüğü tarafından soruşturma açıldı <https://www.cumhuriyet.com.tr/haber/prof-dr-kayihan-pala-hakkinda-uludag-universitesi-rektorlugu-tarafindan-sorusurma-acildi-1749888>

YÖNETMELİK

Yükseköğretim Kurulu Başkanlığından:

**DEVLET YÜKSEKÖĞRETİM KURUMLARINDA ÖĞRETİM ELEMANI NORM
KADROLARININ BELİRLENMESİNE VE KULLANILMASINA
İLİŞKİN YÖNETMELİKTE DEĞİŞİKLİK YAPILMASINA
DAİR YÖNETMELİK**

MADDE 1 – 2/11/2018 tarihli ve 30583 sayılı Resmî Gazete’de yayımlanan Devlet Yükseköğretim Kurumlarında Öğretim Elemanı Norm Kadrolarının Belirlenmesine ve Kullanılmasına İlişkin Yönetmeliğin 3 üncü maddesinin birinci fıkrasının (a) bendindeki “eğitim ve öğretime başlamak” ibaresi “eğitim-öğretime başlamak” şeklinde değiştirilmiştir.

MADDE 2 – Aynı Yönetmeliğin 4 üncü maddesinin ikinci fıkrasının son cümlesi ile beşinci ve sixth maddesinin aşağıdaki şekilde; üçüncü fıkrasındaki “ve/veya bölüm kurulunun uygun”, “doktora” ibareleri sırasıyla “akademik kurulunun”, “doktora ve dengi” şeklinde; yedinci fıkrasındaki “akademik kurulların uygun görüşü” ibaresi “üniversite senatosu” ibaresi “birim yönetim kurulunun görüşü üzerine üniversite yönetim kurulu” şeklinde değiştirilmiş ve dördüncü ve altıncı fıkralarındaki “uygun” ibareleri ile yedinci fıkrasının son cümlesinden çıkarılmıştır.

Bu Yönetmelik kapsamında asgari kadro sayısı dışındaki norm kadrolar, ilgili anabilim/anasanat dalı ve bölüm kurullarının görüşü alınarak ilgili meslek yüksekokulu, konservatuvar, yüksekokul, fakülte ve enstitü yönetim kurulu tarafından kullanılır.”

“(5) Anabilim/anasanat dalı ve programa öğrenci alan önlisans ve lisans programları ile bünyesinde bulunan fakülte olmamakla birlikte servis dersi veren birimler için öğretim elemanı norm kadro sayısı, anabilim/anasanat dalı ve bölüm kurulunun görüşü alınmak şartıyla ilgili birim yönetim kurulu kararıyla asgari kadro sayısının ila katı kadar belirlenebilir.”

“(8) Yükseköğretim kurumları, bu maddenin ikinci, dördüncü ve beşinci fıkraları çerçevesinde her yıl kadro planlamalarından bir sonraki yıl ilan edilmesi planlanan kadroları üniversite yönetim kurulu tarafından her yıl Aralık ayı içinde Yükseköğretim Kuruluna gönderir ve kendi internet sitesinde yayımlar.”

MADDE 3 – Aynı Yönetmeliğin 5 inci maddesinin ikinci, üçüncü ve altıncı fıkraları aşağıdaki gibidir.

(2) Asgari kadrolar ile Yükseköğretim Kurulu tarafından uygun görülen norm dışı kadroların kullanımı, ilgili birim tarafından gerçekleştirilir. Öğrencisi bulunan birimlerin asgari kadrolarında boşalma olması halinde asgari kadro temin için uygun kadroya ilk ilanda yer verilir.”

“(3) Asgari kadro sayısı dışındaki norm kadrolar, ilgili meslek yüksekokulu, konservatuvar, yüksekokul ve enstitü yönetim kurulunun görüşü üzerine üniversite yönetim kurulu kararıyla kullanılabilir.”

(6) Cumhurbaşkanı kararıyla her yıl ilgili yükseköğretim kurumu için belirlenen atama izin sayısının dağılımı, ilgili birim yönetim kurulunun gerekçeli teklifi üzerine üniversite yönetim kurulu kararıyla yapılır.”

MADDE 4 – Bu Yönetmelik yayımı tarihinde yürürlüğe girer.

MADDE 5 – Bu Yönetmelik hükümlerini Yükseköğretim Kurulu Başkanı yürütür.

Yönetmeliğin Yayımlandığı Resmî Gazete’nin

Tarihi	Sayısı
2/11/2018	30583

Yönetmelikte Değişiklik Yapan Yönetmeliğin Yayımlandığı Resmî Gazete’nin

Tarihi	Sayısı
2/11/2019	30936

the data and publish the results.¹³⁶

SEXIST, EXCLUSIONARY AND DISCRIMINATING VERBAL ATTITUDES TOWARD UNIVERSITY STUDENTS

We have already mentioned the academic rights violations targeting the students when we discussed the obstacles that they encounter while choosing subjects of their studies. Here we deal with the rights violations threatening the fundamental rights protected by the Constitution and international laws such as individual's psychological and physical integrity. The threats to the individual's psychological and physical being can be considered as a violation of education rights, since they can prevent directly or indirectly the individual's access to education. Below is a list of rights violations caused by sexist and discriminating words and attitudes that were covered by the media:

☑ During a live program on TV, the Rector of Anadolu University Mr. Çomaklı realized that the battery of his cell-phone was dead and said: "Now one has to take this around like girls. Damn it!"¹³⁷ Upon the reactions, Mr Çomaklı resigned citing his health problems as a reason.

☑ The Dean of Gazi University Faculty of Science Mr. Orhan Acar said during a video conference on TV that "In this way, we can see the girls too, man. Hush!"¹³⁸

☑ A faculty member of Sakarya University Mr. Ebubekir Sofuoğlu described universities as a "whoredom" in a TV program. The Prosecutor's Office opened an investigation on him.¹³⁹

☑ A professor working at Selçuk University was accused of hav-

136 Prof. Dr. Kayihan Pala hakkındaki soruşturma bitti, <https://www.sozcu.com.tr/2020/saglik/prof-dr-kayihan-pala-hakkindaki-sorusturma-bitti-6017770/>

137 Sosyal medyanın diline düşen rektör istifa etti <https://www.yenidevir.com.tr/haber/4335798/sosyal-medyanin-diline-dusen-rektor-istifa-etti>

138 Gazi University Dekanı Prof. Dr. Orhan Acar istifa etti, <https://www.ntv.com.tr/egitim/gazi-universite-si-dekani-prof-dr-orhan-acar-istifa-etti-orhan-acar-kimdir,kppBPObCqECe8Rn8juUnUg>

139 Akademinin yüz karası, <http://haberci.ajanspress.com.tr/pad/press/OTk4OTI0MTAmMSY1ODUwN-CYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>

ing offended one of his women colleagues by sexual assaulting and then by blackmailing her.¹⁴⁰ While doing a survey about the academic rights violations covered in the media, we encountered quite a lot of verbal harassment cases in relation to university circles. Since we did not follow the results of the criminal investigations opened about such cases we cannot evaluate whether they were properly judged or not. However, we can observe a point: the fact that such cases were increasingly covered by the media demonstrates how the “right to education” protected by the Constitution and international laws was violated directly or indirectly. The right to education includes protection of the psychological and physical integrity of all individuals benefiting from the institutions of education. The violation of this right and the impunity of such violations should be considered as the acts preventing or blotting out this right.

☑ A male faculty member of Ardahan University was dismissed after he was accused of attempting to sexually harass some female students.¹⁴¹

☑ A Taiwanese PhD student at Hacettepe University suffered from sexual assault at the gym and a lawsuit was opened. The court decided that “the claims are too abstract” and released the accused. However, the university administration fired the accused that was the responsible of the gym, claiming that he had indeed performed the sexual assault.¹⁴²

☑ The students of Ege University Faculty of Dentistry filed a report first to the university rectorate and then to the İzmir Chamber of Dentists, complaining that they were subjected to harass-

140 <https://abcgazetesi.com/selcuk-universitesinde-korkunc-iddia-profesor-meslektasina-cinsel-saldiri-da-bulunup-santa-356974>

141 Akademisyen erkek ‘cinsel taciz’ suçundan görevden uzaklaştırıldı, <https://gazetekarinca.com/2020/11/akademisyen-erkek-cinsel-taciz-sucundan-gorevden-uzaklastirildi/>

142 Spor salonunda cinsel saldırı, <https://www.41havadis.com/haber/spor-salonunda-cinsel-saldiri-iddia-si-h35875.html>

ment and insulting by their teachers. The authorities of the İzmir Chamber of Dentists declared that the accusations were serious and that they opened an investigation.¹⁴³

☑ Four female students of Trakya University Faculty of Arts filed a complaint about the faculty member O.D. accusing him of talking incessantly about sex. The Prosecutor's Office opened a case of "sexual harassment and misconduct in office" on O.D.¹⁴⁴ and the accused was convicted.¹⁴⁵

☑ An academician working as the dean of a department at Süleyman Demirel University was accused by a faculty member of performing mobbing and not paying employee rights and benefits. The Higher Education Council (YÖK) decided that it was a case of "misconduct in office" and sent the file to the Council of State. However, the accused was later appointed to Kırıkkale University as a dean, instead of being suspended.¹⁴⁶

☑ Associate Professor Mr. Serkan Hacıcaferoğlu working at the Recep Tayyip Erdoğan University (RTEÜ) was accused of harassment and deliberately giving low grades to female students. The latter filed a complaint to the Higher Education Council (YÖK), the Prosecutor's Office and the Administrative Board of the RTEÜ. However, the Rectorate of the RTEÜ appointed the accused as the dean of a department and sent an answer to the complaining students, declaring "Upon the completion of the disciplinary investigation opened on Associate Professor Serkan Hacıcaferoğlu, it was decided that there was not any reason for a disciplinary action

143 Ege University'nde skandal büyüyor!, <https://www.16haber.com/genel/ege-universitesi-nde-skandal-buyuyor-h13303.html>

144 Akademik tacizde sona doğru, <http://haberci.ajanspress.com.tr/pad/press/MTAwMDI2OTlwJjEm-NTg1MDQmMCYx?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>

145 Taciz davasına 55 ay, <http://www.edirnehaber.org/haber/43016/taciz-davasina-55-ay.html>

146 Isparta'da sürgün, Kırıkkale'de dekan!, <http://www.mansetgazetesi.net/haber/ispartada-surgun-kirikka-lede-dekan-18844.html>

against him.”¹⁴⁷

☑ At Trakya University, during an online education class, a student said that some of their friends did not have computers. And the teacher responded as follows: “You have to fulfill minimum conditions. If you don’t have computer, you can’t take the exams. As a matter of fact, not everybody has to get higher education anyway.”¹⁴⁸

☑ When the students entered the website of the Student Loans and Dormitories Institution to fill an application, they encountered two questions. First: “Are you a member of Youth Center?” And the second: “Are you a member of Young Volunteer’s Platform?” These questions were interpreted as the explicit confirmation of favoritism in the distribution of student loans.¹⁴⁹

☑ It was claimed that the rules regarding the admission of students from abroad defined by Higher Education Council (YÖK) regulations were infringed. For instance, Sakarya University administration was accused of charging money from foreign students as “donation” and the YÖK opened an investigation on the said university.¹⁵⁰

147 Recep Tayyip Erdoğan University’nde hakkında taciz iddiaları bulunan akademisyen bölüm başkanlığına atandı, <http://gold.ajanspress.com.tr/extih/491614048/4/321F25D2-DE8D-EA11-BA55-001A6465F174>

148 Öğrencinin ‘Herkesin Bilgisayarı Yok’ Sözüne Akademisyenden Cevap: ‘Herkes Üniversite Mezunu Olacak Diye Bir Şey Yok’; <https://onedio.com/haber/ogrencinin-herkesin-bilgisayari-yok-sozune-akademisyenden-cevap-herkes-universite-mezunu-olacak-diye-bir-sey-yok-944912>; Akademisyenler yanıtladı: Herkes okumak zorunda değil mi?, <https://sol.org.tr/haber/akademisyenler-yanitladi-herkes-okumak-zorunda-degil-mi-21255>

149 Torpili resmileştirdiler, <http://haberci.ajanspress.com.tr/pad/press/OTg4MzQ0NzgmMSY1ODUwN-CYwJjE=?customer=a0f69adf-dd8d-ea11-ba55-001a6465f174&sid=43836&subid=58504&bid=1125149>

150 Sakarya University ‘kontenjan skandalı’ ile çalkalanıyor!, <http://gold.ajanspress.com.tr/extih/485867048/4/8CE18446-F88D-EA11-BA55-001A6465F174>

EVALUATION

The reasons behind the academic rights violations which occurred in 2020 were the authoritative understanding that limits expression of thoughts by the threat of punitive sanctions as well as the arbitrary government of the university administrators appointed directly by the President of the Republic, an arbitrary government that was rarely subjected to statutory audits. The academicians were afraid not only of losing their jobs but also their civil rights they had to censure themselves in their academic work, and as a consequence of this, the academic production was seriously damaged. Their subjects of research were limited and the number of scientific publications severely decreased. The policies of employment and promotion are determined by the personal relations and affinity with the ruling Justice and Development Party (AKP), not in the recognition at all of their scientific capacities and traditional academic advancement procedures thereby resulting in the loss of academic standards. The occurrence of plagiarism in academic publication has enormously increased and Turkish universities became notorious in international academia with regard to plagiarism. The university administrators totally disregard the legal and administrative regulations that guarantee the use of fundamental rights and adopt an arbitrary attitude, particularly in publishing the academic position announcements that caused serious rights violations. Universities have lost their autonomy, and this led to the loss of quality in academic production due to corruption in the arbitrary government.

Munzur Üniversitesinde adrese teslim kadro ilanı

Usulsüzlükleriyle çok kez gündeme gelen Rektör Ubeyde İpek, hemşerisi olan V. A.'yı Spor Bilimleri Fakültesi Antrenörlük Eğitimi bölümüne almak için "Antrenörlerin iş doyumu konusunda çalışmak olmak" koşuluyla doğrudan doktora tezini işaret eden adrese teslim ilan çıkardı.

OHAL Komisyonu'nun görev süresi doluyor: Lağvedilmeli

Kamudan ihraç edilen 100 binin üzerindeki kişinin mahkemeye gitmeden önce itirazlarını değerlendirmek için kurulan OHAL İnceleme Komisyonu geçen 3 yıla karşın tüm başvuruları sonuçlandırmadı. Görev süresi 23 Ocak 2021'de dolacak olan ve ek süre verilip verilmeyeceği bilinmeyen komisyonda karar bekleyen çok sayıda kişi cezalandırma aracı haline geldiğini belirterek, kararlarıyla birlikte lağvedilmesini istiyor.

16 Aralık Çarşamba 2020 Saat: 07:39

Hitit Üniversitesi'nde kişiye özel kadro ilanı

Corum'da bulunan Hitit Üniversitesi'nde yayımlanan bir akademik kadro ilanında aranan şartlar kişiye özel kadro ilanı



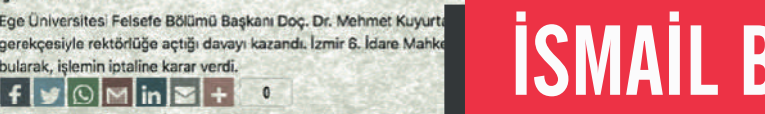
Meslek yüksekokullarının Yükseköğretim Bakanlığı'na bağlanması, akademik özgürlük ciddi zarar görmekte. 'Türkiye'de akademik özgürlük ciddi zarar görmekte. 'Türkiye'de akademik özgürlük ciddi zarar görmekte. 'Türkiye'de akademik özgürlük ciddi zarar görmekte.



Üniversite rektöründen belediye başkanının kızına sipariş kadro. Van Yüzüncü Yıl Üniversitesi'ne bağlı Dursun Odabası Tıp Merkezi Hastanesi'ne, personel alımı için ilan açıldı. Kriterleri karşılayan ve başvurusu kabul edilen tek kişi ise AKP'li Van Tugba Belediye Başkanı Salih Akman'ın kızı oldu.



Mahkeme kararı: Ege Üniversitesi'nde şahsa özel. Ege Üniversitesi Felsefe Bölümü Başkanı Doç. Dr. Mehmet Kuyurt, gerekçesiyle rektörlüğe açtığı davayı kazandı. İzmir 6. İdare Mahkemesi, işlemin iptaline karar verdi.



MAHKEME MEÜ'DE 'KAYIRMACILIĞA' DUR. Kişiyözel kadro ilanlarıyla sık sık gündeme gelen M. Üniversitesi'nin, Mühendislik Fakültesi Makine Müh. Bölümü, Mekanik Ana Bilim Dalı 1. derece doçent k. 09 Ağustos 2019 tarihinde açtığı ilan hakkında Mersin Mahkemesi'nin yürütmeyi durdurma kararı verdiği o SAYFA 6'da

ve başvuru sonucu ilgililere elektronik ortamda erişime ve başvuru sonucu ilgililere elektronik ortamda erişime ve başvuru sonucu ilgililere elektronik ortamda erişime

Nepotizm üniversiteleri teslim aldı: Rektörün 3 kızı, 1 damadı ve yeğeni aynı üniversitede. Liyakatin 'kırmızı çizgi' olması gerektiği üniversitelerde akraba kayırmacılığının ve kadrolaşmanın geldiği seviye alarm vermeye başladı.

cumhuriyet.com.tr. DEKAN PUANI YÜKSEK ADAYI DEĞİL KIZINI İŞE ALDI. OĞLUNU VE ESİNİ ÖĞRETİM GÖREVLİSİ OLARAK ATADI. ÜÇ KIZI BİR YEĞENİ ÖĞRETİM ÜYESİ OLDU. BATMAN ÜNİVERSİTESİ REKTÖRÜ PROF. DR. AYDIN DÖNMEZ. KATU REKTÖRÜ PROF. DR. SÜLEYMAN BAYKAL.

YÖNETİM SEKLİ NEPOTİZM. Yeterlik. Bazı. İnci.

BAİBÜ'DE KİŞİYÖZEL KADRO. BAİBÜ'DE KİŞİYÖZEL KADRO. BAİBÜ'DE KİŞİYÖZEL KADRO.

İSMAİL BEŞİKCİ FOUNDATION MEDIA SURVEY ON ACADEMIC RIGHTS VIOLATIONS

2020

Sakarya Üniversitesi 'kontenjan skandalı' ile çalkalanıyor!

Yüksek Öğretim Kurumu YÖK çerçevesi yönetmeliğince yurt dışından öğrenci alım kuralları ihlal edildiği öne sürülerek, Sakarya Üniversitesi hakkında inceleme başlatıldığı iddiaları.