



Original article

## Evaluation of Teacher Appointment and Relocation Principles in the Perspective of Current Regulations: An Example of Apology/Excuse Group Appointment

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### Abstract

In recent years, the demands of teachers working in public institutions affiliated to the Ministry of National Education to assign excuses have become quite controversial. It is seen that the procedures and principles regarding ensuring the family integrity of teachers come to the fore, especially in the intra-provincial appointments of disabled groups. In this context, the aim of the research is to propose solutions to the problems experienced by systematically revealing the principles of apology determination of teachers working in the public sector. Case study, one of the qualitative research methods, was used in the study. According to the results of the research, teachers who choose in the second stage of the provincial disability group assignment are faced with the warning "There is no vacant quota in your field". The appointment of teachers who are more than the norm staff before the appointment of excuses causes the teachers who request to assign excuses to experience grievances. In particular, the demands of the teachers to make excuses within the province cannot be met by the administration due to the insufficient number of service points and the limited quota. In recent years, the Ministry of National Education has been applying a "provincial order" for excuse assignments made outside the province. The fact that contracted teachers do not apply for an excuse assignment before completing three years creates grievances. Not counting the lack of education among the excuses prevents teachers from receiving postgraduate education. Accordingly, it is thought that introducing a "neighborhood order" for teachers who have been working in the same province for six years or more will prevent congestion in appointments. In the appointment of the provincial apology, all districts within the province should be opened under the pretext of family unity.

**Keywords:** Apology Group Assignment, Teacher, MEB, Regulation, District Order.

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## **INTRODUCTION**

Human resource planning and practices in public institutions differ according to the private sector. These services vary according to the characteristics of public institutions and are carried out within the framework of written rules (Öztürk, 2002; Şahin & Doğan, 2020). Appointment and relocation of teachers working under the Ministry of National Education (MEB) are also evaluated within the scope of these rules. Optional in-provincial appointment, extra-provincial appointment and excuse-based relocation requests of teachers in the public sector are carried out based on the appointment calendar determined by the Ministry of National Education. Teacher mobility in Turkey takes place from the countryside to the center, from the provinces in the East to the provinces in the West in terms of the geographical structure of the country and the current socio-economic conditions (Memişoğlu, Çelik, Yılmaz, İsmetoğlu, & Erbaş, 2015; Şahin, Beycioğlu, Sincar, & Çıkrıkçı, 2016; Atmaca, Toygur & Çamurcu, 2022). However, the fact that the schools in the provincial centers are full in terms of staff causes some difficulties for the teachers working in the provinces to come to the central schools (Şahin et al., 2016). Many teachers in this situation have to travel 150-200 km daily from their residence to the educational institution where they work. Teachers who have been working in rural and compulsory service areas for many years suffer from a loss of motivation due to reasons such as transportation difficulties, socio-economic inadequacies and the socioeconomic development difference between east and west. However, teachers who have been working in these regions, which are also called disadvantaged regions, have needs such as meeting their social needs such as experiencing the feeling of success and developing human relations (Ayık & Yalçın, 2013: 163).

When previous studies were examined, Memişoğlu et al. (2015) stated that rotation gives every teacher the opportunity to work in a school in the region they want. Uğurlu and Özdemir (2021) stated that organizational happiness in education is effective on teachers' "focusing on work" and "work efficiency", and these factors are accepted as the dominant value in teachers' professional life. Atmaca et al. (2022) stated that the main factor in assignments and relocations is the "service score" in the study in which teachers evaluated the procedures and principles of relocation according to the criteria of "service score". Özoğlu (2015) stated that the teachers' relocation demand is due to the inadequacy of social conditions in the Eastern Regions, difficulties in transportation, socio-cultural differences, security problems and accommodation difficulties. Şahin et al. (2016) stated that teacher rotation may have negative effects on work, social environment and family unity. Dresel and Hall (2013) stated that there is a direct relationship between teacher performance and the social environment in which they work. Yavuzdoğan (2014) evaluated the issues regarding the transfer of civil servants on the basis of family unity in line with the decisions of the Council of State. Accordingly, previous studies were determined for issues such as teacher rotation, teacher replacement principles, and the role of the teacher in ensuring organizational happiness. However, no research has been found in which the principles of

teachers' excuse/apology group assignment and the process related to this are discussed. Applications for the appointment of excuse/apology groups of teachers are made in two stages in line with the “E Relocation Calendar” announced by the Ministry of National Education.

The first stage consists of “Applications Acceptance and Approval Process” and the second stage consists of “Preferences and Approval Process”. Teachers who do not apply in the first stage do not have the right to apply in the second stage. Applications for the assignment of excuses are made by filling in the “MEBBİS Relocation Application Form Based on Excuse Status” at the address “personel.meb.gov.tr” or “mebbis.meb.gov.tr”. Application forms are approved by school directorates. Approval procedures are carried out first by the school directorates and then by the Provincial and District Directorates of National Education within the appointment calendar. The workflow regarding the application and approval procedures should be followed by the teachers through MEBBİS. After the approval process is completed, the applications are evaluated. Provincial and district national education directorates are authorized and responsible for approving or rejecting applications for relocation procedures (MEB, 2022).

In the second stage of excuse/apology group assignments, the list of vacant educational institutions in the preferred provinces and districts and the list of possible vacant educational institutions are published on the “personel.meb.gov.tr” address. The teachers whose applications are approved in the first stage write the codes of the educational institutions that they have requests for appointment on the application form according to their preference priorities. Schools declared as educational institutions that are likely to be vacated at the selection stage are not taken into consideration during the appointments if the teachers working in these schools cannot be placed in the preferences they demand (MEB, 2022).

In the assignment of excuse/apology group, the preferences are divided into two as inter-provincial excuse assignment and intra-provincial excuse assignment. Out-of-provincial and in-provincial excuse appointments are made within the same appointment calendar. Teachers can choose a maximum of 40 among the educational institutions in the province or settlement where their excuses are found. The 41st option, which is stated as the non-preference option, refers to the option of whether to be appointed to any of the vacant educational institutions across the province by lot. Teachers in this situation cannot select the 41st option without completing the 40 educational institution preferences. According to this, only the preferences of teachers who make less than 40 preferences and those who do not want to be assigned out of preference are taken into account. Teachers who cannot be relocated due to insufficient service points can take unpaid leave upon request (MEB, 2022).

Teachers working in metropolitan provinces can choose educational institutions in the district where their spouses work and in the district where their residence is registered in the Address Registration System (ARS). In applications within this scope, the educational institutions to be opened

in the second stage of preference are determined on the basis of the address information in the Address Registration System as of the date of the preliminary applications. Each of the provincial centers, districts, towns and villages are considered as separate settlements in the process of relocation to be made in non-metropolitan provinces. Therefore, it is possible to apply for a relocation between these settlements, but a change of location cannot be made between the educational institutions in these settlements. In summary, teachers working in provinces without Metropolitan Municipality status can only choose schools in the city center (including towns and villages) or districts (including villages and towns) where they have excuses. In addition, teachers whose spouses work in the villages or towns of the same district primarily prefer schools where their spouses live. However, if there is no school where they can be assigned in the place where their spouses work, educational institutions in nearby villages and towns may be preferred (MEB, 2022).

In the light of these evaluations, the current regulation is insufficient in solving excuse assignments and relocation becomes almost impossible. This situation constitutes the main problematic in the research. The main limitation of the research is that the procedures and principles regarding the appointment of excuses have been evaluated in terms of the current literature, current regulations and assignment guide.

### **Purpose of the Research**

The aim of this research is to identify the current situation and problems related to the excused displacement of teachers working in the Ministry of National Education and to offer solutions. The research sought answers to the following questions:

1. What criteria are based on a teacher's right to apply for an excuse/apology assignment?
2. What are the problems experienced in the assignment of excuse/apology group within the scope of current legislation?

## **METHODS**

### **Model of the Research**

In this study, the case study method, one of the qualitative research methods, was used. Situational research is seen as a distinctive approach in seeking answers to scientific studies. The most distinctive feature of the case study is to investigate a certain situation in depth and reveal certain results (Büyüköztürk et al., 2013; Yıldırım et al. Simsek, 2013).

### **Research Data**

The data in the research consists of the “Teacher Appointment and Relocation Regulation” numbered 29329 and the “Relocation Guide Based on Excuses and Other Reasons” dated 03.01.2022 of the Ministry of National Education General Directorate of Personnel. The regulation was accessed from

the website <https://www.mevzuat.gov.tr> and the assignment guide was accessed from the address <http://personel.meb.gov.tr>.

### **Analysis of Data**

Analysis of research data was made according to document analysis. In addition to providing descriptive information, document analysis can also monitor changes and developments in hypotheses and categories (Merriam, 2013). In this direction, the guide on assigning apologies to teachers by the Ministry of National Education has been examined through document review.

## **RESULTS**

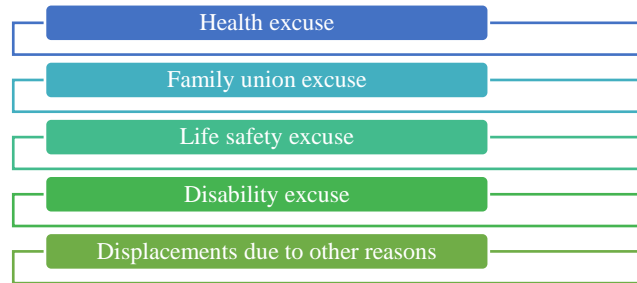
In this section, findings and comments about the research questions are presented.

### **Findings Related to the First Research Question**

#### ***What are the Excuses for Relocation Procedures?***

According to the Guide to Appointment Due to Excuse and Other Reasons, issues related to health, family unity, life safety, disability and other reasons are counted among excused displacements.

Situations involving displacement due to the excuse/excuse group are given in Figure 3.



**Figure 1.** Excuse situations

### **Health Excuse**

Health disability can be used in case of illness. The scope of the health disability covers the teacher, spouse or children. If it is documented with a medical board report that the place of duty will endanger the health status of the people in question, an application for appointment can be made to the educational institutions in the province/district where the treatment will take place.

The reports to be used in appointments due to a health disability must have been received from public or private health institutions and organizations in accordance with the legal content within the last two years as of the date of application. Teachers who are appointed as guardians to any of their

family members are requested to submit a certified copy of the birth certificate, which includes the guardianship decision, the health board report, and a summary of the personal information entered in the family register.

### **Family Union (Spousal) Excuse**

Relocation of teachers due to family union is carried out in accordance with the Teacher Appointment and Relocation Regulation published in the Official Gazette dated April 17, 2015 and numbered 2939. The first paragraph of the 49th article of this regulation refers to the provisions of the Civil Servants Law and the Regulation on the Appointment of Civil Servants by Relocation, and the excuses of the teachers are carried out within the framework of the provisions of the general regulation. Accordingly, the situations in which teachers can apply for the excuse of family unity are expressed as follows:

- Those who work within the scope of Articles 4/A and 4/B of the Civil Servants Law No. 657.
- Employees subject to the private pension fund established for banks in accordance with the temporary article 20 of the Law No. 506.
- Employees in professional associations such as professional chambers and TOBB.
- Those who work as headman, notary public, deputy and mayor.
- Employees under the TAF Personnel Law.
- Employees within the scope of Law No. 2802 on Judges and Prosecutors.
- Employees within the scope of Decree Law No. 399.
- Employees in public institutions and organizations established by special laws.
- Those who work as permanent workers in public institutions and organizations.
- Those who are insured outside of public institutions and organizations within the scope of subparagraphs (a) and (b) of Article 4 of the General Health Insurance Law No. 5510 and the Social Insurance Law.
- Lawyers registered with the Bar Association and lawyers working as taxpayers.

Teachers whose spouses are civil servants or permanent workers in the public sector are asked to “documentation of their place of employment” regarding the status of their spouses. Employees whose spouses work in institutions within the scope of subparagraphs (a) and (b) of Article 4 of the General Health Insurance and Social Security Law No. 5510, a document showing the place of employment of their spouse and a document showing that the insurance continues are required. In addition, a document is requested from the tax office to which they are affiliated, showing that they have had at least 360 days of insured service during the last two years and that the insurance continues.



**Figure 2.** Word pool related to family unity

Teachers, whose relocation requests due to family union excuse cannot be met due to insufficient service points, can be granted unpaid leave until they are appointed to the place they want, provided that their rights in Article 72 of the Civil Servants Law No. 657 are reserved. Teachers in this situation are appointed to the vacant teacher positions allocated for this purpose to the Provincial Directorates of National Education to which they are affiliated, provided that they are on unpaid leave. The positions to which these teachers are appointed are reserved, provided that they are limited to the period of unpaid leave. Teachers who are on unpaid leave are assigned to vacant teacher positions in accordance with their status, if they are not appointed to the place they request at the end of the third year.

### **Disability Excuse**

In the assignment guide, “health disability” and “disability status” are evaluated separately. The conditions for teachers to request assignment based on their disability are stated below. The conditions for teachers to request assignment based on disability are as follows:

- The teachers themselves are at least forty percent disabled.
- Certification of the severe disability of the spouse, dependent child, mother and father with a medical board report.
- Having a “special needs report for children under the age of 18” in accordance with the “Regulation on Special Needs Assessment” for children.

### **Displacements Due to Other Causes**

It includes appointment requests made due to reasons such as retirement, death, and the effect of terrorist acts.

- Teachers whose spouse or child has died can request to relocate to any place they want within one year from the date of death of their spouse or children.

- Teachers whose spouses are retired can request a transfer to their spouse's place of residence within one year starting from the date of retirement.
- Public officials who are martyred due to the effects of terrorist acts, or who are too disabled to work or who are disabled but able to work, can apply for appointment. In addition, the appointment requests of their spouses and children who work as teachers, and their parents and siblings can be met.
- Appointment requests of teachers who have children and siblings, who are determined by the health board report to be so disabled that they cannot continue their life without the help and care of others, can be fulfilled. In this case, death certificate, retirement certificate, certificate of being a martyr or disabled veteran, health board report or guardianship decision are requested.

### **Findings Related to the Second Research Question**

#### ***Problem Situations in Apology/Apology Group Appointments***

Within the scope of the current legislation, it has been determined that the following are the problems experienced in the relocation of the excuse/apology group:

#### **Problems Encountered in Provincial Order Application**

The provincial order expresses that the teachers who request to be relocated due to an excuse are given to the order that they have excuses in order to be appointed against possible teacher needs in case the appointment request is not realized. In recent years, the Ministry of National Education has been applying the provincial order to the assignments of excuse/apology groups outside the province. The Ministry carries out the placement of the teachers waiting under the provincial order to the vacant schools within the time of the appointment calendar. In this way, it is tried to dissolve the surplus of teachers in the provincial order. On the other hand, the teachers waiting at the provincial order continue to wait at the provincial order as more than the norm. This situation causes the teachers who work in different districts of the province to be aggrieved while waiting for an excuse assignment. In summary, the Ministry of National Education solves the problem of the victims of excuse/apology groups outside the province by applying a provincial order. However, since the district order is not applied in the assignment of apology within the province, the assignment of excuse/apology groups by the teachers working at different points in the province continues to be a problem.

#### **Problems Caused by the Appointment Schedule**

Appointments related to the disability group are made according to the service score superiority in line with teacher preferences over the norm positions announced according to the fields and possible vacancies during the semester and summer holidays. In case the service scores are equal, priority is



given to those who have more service time in teaching. In case of equal length of service, priority is given to those who started teaching earlier. If the equality continues, the teacher to be appointed is determined by computer draw. The results of the appointment are announced at the Ministry of National Education's "personel.meb.gov.tr" address. Assignments can be canceled by submitting a petition to the Provincial/District Directorates of National Education, provided that the cancellation process is within the application process.

Out-of-provincial and intra-provincial excuse assignments are made at the same time. However, although teachers are given the right to choose all district, town and village schools in the province they prefer, teachers who request an excuse assignment within the province are not granted this right. The spouses' place of duty or residence address is taken as a basis in the preferences of the teachers who apply for an apology within the province. Limiting the request for an apology within the province to the address of residence and place of duty minimizes the realization of a teacher's appointment request. If there is no vacant quota in these places (residence address and spouse's place of duty), teachers in this situation are faced with the warning "There is no vacant quota in your field". Teachers who encounter this warning do not have any right to choose. Moreover, this situation does not allow a teacher with a disability to prefer a closer education institution that will eliminate the excuse situation even if the service score is higher. Therefore, making excuses assignments outside the province and within the province at the same time causes the teachers who continue to make excuses in the province to experience unjust treatment. Whereas, the reason for the formation of the excuse within the province stems from the fact that these teachers were not given to the provincial orders in the previous years and were forced to prefer distant places. For this reason, the current relocation regulation gives more options to teachers with a disability outside the province than teachers with a disability in the province.

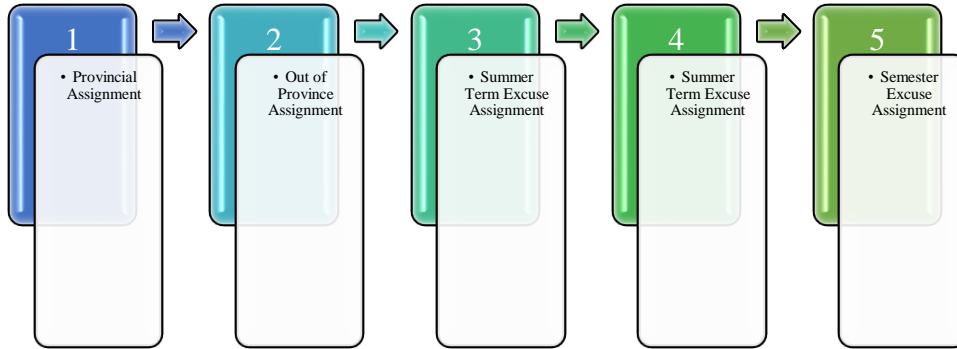
### **Problems Related to Lack of Mutual Right of Relocation**

Although standards such as service points, compulsory service and norm staff have been introduced in the appointment and relocation principles of teachers working in the Ministry of National Education in recent years, relocations depending on these practices remain largely limited. In addition, even the mutual replacement of teachers was prevented. Nevertheless, civil servants have the right to "mutual relocation, provided that they work in the same class". Since the Ministry of National Education does not include the procedures and principles regarding "mutual relocation" specified in the law in the current regulation, teachers cannot take advantage of this situation.

### **Norm More Teacher-Related Problems**

The Ministry of National Education makes appointments such as the first appointment and field changes at certain periods during the year. Apart from this, the appointments of teachers within the province, outside the province, excuses and excess of the norm are carried out in a certain order

according to the appointment calendar announced by the Ministry of National Education. These assignment types and the order of assignment are shown in Figure 3.



**Figure 3.** MEB teacher appointment calendar

When the flow in Figure 3 is examined, it is seen that the fourth-ranking more than norm teacher appointments are made just before the excuse assignments for the semester. This situation, in a way, makes the excuse assignments for the semester a formality. Because the appointment applications of the teachers who are more than the norm are received in November and the appointments are made in December. On the other hand, excuse assignments for the semester are made in January. Therefore, the period between the assignment of more teachers than the norm and the assignment of excuses corresponds to less than 1 month. Due to this practice, vacant educational institutions in provinces or districts are filling up. This situation causes teachers who have an excuse/disability both outside the province and within the province to not be able to settle in these educational institutions and become victims, although they have higher service scores.

### **Problems Caused by Reflecting Possible (Possible) Vacancies to the System**

Since excuse/apology group assignments are carried out in two stages, it seems that every teacher who requests assignment in the first stage is “possible vacancies” in case of a relocation in the educational institution where they work. In case of being placed in the staff, the possible vacant position turns into a vacant position and the teacher who requested the appointment can be replaced by the other teacher requesting the appointment (probable vacant position). Otherwise, the system is closed for relocation as there are no vacancies.

The possible vacancy application does not pose any problem in the assignment of excuse/apology groups out of the province. Because the teachers who request an excuse/apology assignment outside the province are assigned to the places they prefer through the provincial order to a large extent. Otherwise, a provincial order is applied by the administration for these teachers. However, in the appointment of excuse/apology groups within the province, the positions of all teachers who request preference from villages or towns within the province to the province center are reflected in the system as possible vacancies. If there is no vacant quota in educational institutions in the province, the staff of all teachers

who request preference appears as a possible vacant position in the system. This situation leads to a perception that teachers who make their second stage preferences for possible vacancies, make their choice unnecessarily. In addition, when the results of the assignment are announced, it causes teachers to encounter the phrase “you could not be assigned to your preferences due to insufficient points”. Because of, this demand of the teachers who make excuses in the province cannot be met, and the workload of the administration increases due to the unnecessary preference and approval procedures.

### **Problems Due to Restriction of Choice**

Teachers working in metropolitan provinces can choose the educational institutions in the district where their residence is registered in the Address Registration System (ARS) and the educational institutions in the district where their spouses work.

Since each of the provincial centers, districts, towns and villages are considered as separate settlements in the relocation procedures in the provinces that are not in metropolitan status, it is possible to apply for a relocation between these settlements. However, it is not possible to change places between educational institutions in these settlements. Teachers working in provinces that do not have Metropolitan Municipality status can only choose educational institutions in the city center (including villages and towns) or districts (including villages and towns) where they have excuses. This situation eliminates the possibility of minimizing the excuses that occur especially in the appointments of the excuse/apology group within the province. For example, while a teacher works in an educational institution in the district “A”, his wife works in the district “B”. There is a distance of 70 kilometers between the district “A” and the district “B”. However, the district "C" is located 30 kilometers from the district “B”, where the teacher's wife works. However, since the spouse of the teacher who requested the assignment does not work in the “C” district, this teacher cannot request an excuse assignment to the “C” district. The limitation of choice in this direction eliminates the possibility of minimizing the current situation of teachers who demand excuses.

### **CONCLUSION, DISCUSSION and RECOMMENDATIONS**

This study was carried out in order to identify the problems encountered in the legislation in the assignments related to the excuse/apology group and to offer solutions. The basic principles regarding the procedures and principles of relocation of teachers, disability groups, service areas, service regions, service points and practices related to other issues are regulated by regulation.

There are some problems arising from regulations and operation in the assignment of excuse/apology group. It is understood that especially the demands of teachers for the assignment of excuse/apology group within the province could not be met as required by the administration due to insufficient service points and limited quota. It is seen that the assignment of excuse/apology groups within the province poses a problem mostly in terms of ensuring family unity. In addition, the ability of

teachers working on a contract basis to apply for excuse assignments is conditional upon completing their three-year working period and being appointed as a permanent teacher. This situation makes the excuse assignments of contracted teachers conditional on working for a certain period of time.

If the teachers who request an excuse assignment cannot be appointed to the required places by choice and non-preferential lottery, they are assigned to the province where the excuse is found, according to the need. Teachers in this position attend vacant classes in schools that need teachers during their stay in the provincial order. In addition, they fulfill the administrative duties assigned to them.

In recent years, it is seen that the Ministry of National Education has implemented a provincial order in the assignments of excuse/apology groups outside the province, thus solving the problem of teachers who request extra-provincial excuse/apology group assignments. On the other hand, it is seen that the district orders are not given to the teachers who request an excuse/apology group within the province. In particular, the appointment of more teachers than the norm before the assignment of excuses causes grievances at the point of appointment of excuses.

Teachers who request appointment in the first stage of excuse assignments cannot find an educational institution to choose in the second stage. This situation strengthens the opinion that the system causes other problems while repairing the problem created by itself. Yavuzdoğan (2014) stated that the principle of protecting family unity is an important element of social and economic rights and duties. In addition, the importance of the principle of "family unity" is referred to in Article 41 of the Constitution. Memişoğlu et al. (2015) stated that the first goal of the Ministry of National Education is to ensure efficiency in education by eliminating the structure that resists change and innovation, and to make efficiency dominant. However, it is seen that the current "Teacher Appointment and Relocation Regulation" is insufficient to achieve this goal. Because the current regulation does not allow many teachers to go to another school in the short and medium term. However, Yılmaz, Altınkurt, Karaköse, and Erol (2012) stated that changing the teaching staff at regular intervals would make a positive contribution to education. Şahin et al. (2016) stated that teacher relocations are important in terms of the accumulation of teachers in certain regions, the filling of norm positions, ensuring equality in education and fulfilling teacher demands. In addition, Yavuzdoğan (2014) stated in his study on the transfer of public employees that the education of the civil servant himself is not considered an excuse in the regulation, but this situation is taken into account by the institutions with special regulations. Since the current regulation regulating teacher relocations does not include education disability, the Ministry does not consider education disability among the excuses. However, in the 2017 "Teacher Strategy Document" of the General Directorate of Teacher Training and Development, it was mentioned that ensuring the professional development of teachers in line with changing needs is among the priority issues (MEB, 2017: 7). In this respect, the Ministry, in a way, contradicts this attitude by not counting the educational disability as an excuse.

Based on the results of the research, the following recommendations are made:

- Appointments for excuses should be made by dividing them into two as in-provincial excuse assignment and out-of-provincial excuse assignment.
- District orders should be applied to teachers whose excuses cannot be resolved for more than six years in the province.
- District orders should be applied to teachers who travel more than 60 kilometers from their place of residence to the educational institution where they work, regardless of time.
- In possible changes in regulations, “disability to study” should be counted among the excused criteria.
- Empty quotas in all districts should be preferred for excuse assignments within the province.
- The Ministry has to announce to the teachers in advance whether it will implement the provincial or district order.
- Contracted teachers should also be allowed to apply for the appointment of excuses, regardless of time.

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