

Guidelines for Investigations into Research Misconduct at Kyoto University

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(Purpose)

Article 1. These Guidelines stipulate matters necessary with regard to investigation committees and investigations into Research Misconduct, in accordance with the provisions of Article 9, paragraph 2 of the Regulations on Promoting Research Integrity, etc. at Kyoto University (Order No. 59 of 2014; hereinafter referred to as “the Regulations”).

(Definitions)

Article 2. The meanings of terms used in these Guidelines shall be governed by those provided in the Regulations.

(Composition of Research Integrity Investigation Committee)

Article 3. The Research Integrity Investigation Committee stipulated in Article 9, paragraph 1 of the Regulations (hereinafter referred to as the “Investigation Committee”) shall be composed of the following members.

- (1) 5 or more Faculty and Staff Members nominated by the Executive Vice-President for Research Integrity (hereinafter referred to as the “Executive Vice-President”)
- (2) 5 or more external experts engaged by the Executive Vice-President
2. At least half of the members of the Investigation Committee must be members under clause (2) of the preceding paragraph.
3. At least one of the members of the Committee prescribed in clause (2) of paragraph 1 must be a specialist in legal affairs.
4. The Committee shall have a Chairperson who shall be nominated by the Executive Vice-President from among the members under clause (1) of paragraph 1.
5. If necessary, the Committee may have a Deputy Chairperson who shall be nominated by the Chairperson from among the members of the Committee.
6. The term of office of members shall be 2 years, with no restriction on re-appointment, provided that replacement members shall hold office for the remaining term of their predecessors.
7. In the event that a member of the Investigation Committee has a direct interest in a Reporting Person or person reported, said member shall not participate in any investigation pertaining to Misconduct in which said interest is held.
8. In the case of the preceding paragraph or in the event that the Executive Vice-President considers that other unavoidable circumstances apply, another person may be nominated or engaged by the Executive Vice-President as a member to participate in the investigation as a replacement for the member concerned.
9. The term of office of a member participating in an investigation pursuant to the preceding paragraph shall commence on the day said member was nominated or engaged and cease upon conclusion of said investigation, notwithstanding the provisions of paragraph 6.
10. When nominating or engaging members under paragraphs 1 and 8, the Executive Vice-President shall notify said members that their names and affiliation with the Investigative Committee shall be made public pursuant to the stipulations of Article 20, paragraph 1 or 2.

(Specialist members)

Article 4. In order to conduct an investigation appropriately in line with the field of research in which the Research Misconduct is reported to have occurred, the Investigation Committee may have specialist members as required to assist the work of committee members and provide necessary advice.

2. Specialist committee members shall be engaged by the Chairperson.
3. The term of office of specialist members shall expire upon completion of the relevant investigation.
4. The Investigation Committee may require specialist members to attend its meetings if considered necessary.
5. The Investigation Committee shall stipulate matters necessary with regard to specialist members that are not stipulated in the preceding paragraphs.

(Investigation of cases pertaining to reporting)

Article 5. Upon acceptance of a report under Article 11, paragraph 4 of the Regulations or deeming that reporting is made pursuant to Article 11, paragraph 8 of the Regulations, the Investigation Committee shall conduct an investigation into the case in question pursuant to the provisions of these Guidelines.

2. Upon acceptance of a report under Article 11, paragraph 4 of the Regulations or deeming that reporting is made pursuant to Article 11, paragraph 8 of the Regulations, the Investigation Committee shall notify the Departmental Manager in Charge of Research Integrity of the Department with which the person reported is affiliated (hereinafter referred to as the "Relevant Department") (if the Departmental Manager in Charge of Research Integrity is included as a subject of the reporting, a Deputy Departmental Manager in Charge of Research Integrity who is not included as a subject of the reporting or other replacement; hereinafter the same), and report to the Executive Vice-President.

(Preliminary Investigation)

Article 6. Upon receiving a report under Article 11, paragraph 4 of the Regulations or deeming that reporting was made under Article 11, paragraph 8 of the regulations, the Investigation Committee shall direct the Departmental Manager in Charge of Research Integrity in the Relevant Department to conduct a Preliminary Investigation into the matters set forth below, and have the results of said investigation reported within approximately 30 days counting from the day the report was received or the day reporting was deemed to have been made.

- (1) The possibility that the reported Research Misconduct took place;
 - (2) The relationship between the scientific and reasonable grounds furnished pursuant to the provision of Article 11, paragraph 2, clause (3) and the reported Research Misconduct, and the logic thereof; and
 - (3) Whether or not the period that has passed between the time the reported Research Misconduct is estimated to have occurred and the time the reporting was made exceeds the period for storage of research data determined pursuant to Article 7, paragraph 2 of the Regulations by the General Manager stipulated in Article 3, paragraph 1 of the Regulations (referred to as the "Research Data Storage Period" in paragraph 2 of the immediately subsequent article).
2. In addition to the stipulations of the preceding paragraph, the Departmental Manager in Charge of Research Integrity in the Relevant Department shall report the following matters to the Investigation Committee together with the report on the results of the investigation under the preceding paragraph.
 - (1) Whether or not it is necessary to conduct a full-scale investigation as prescribed in paragraph 1 of the immediately subsequent article;
 - (2) If there is considered a high probability that Research Misconduct has occurred: the possibility that the reporting was made with Malicious Intent (meaning for the purpose of gaining improper benefit or causing damage to another person as provided in Article 18 of the Regulations; hereinafter the same)

3. In the event that multiple Departments are associated with a Preliminary Investigation under the paragraph 1, the Preliminary Investigation may be conducted jointly following discussion among the associated Departments.
4. Preliminary Investigations shall be conducted using methods such as scrutiny of materials pertaining to the reported Research Misconduct, and interviews of associated parties.
5. In the event that the Investigation Committee considers it difficult for a Preliminary Investigation to be conducted in the Department concerned, it may direct a Departmental Manager in Charge of Research Integrity of a Department associated with the Relevant Department to conduct the Preliminary Investigation jointly or to cooperate with the conduct of the Preliminary Investigation by the Relevant Department.
6. When conducting a Preliminary Investigation into reporting on a paper, etc. that has been withdrawn from submittal for publication prior to the reporting, the Departmental Manager in Charge of Research Integrity in the Relevant Department shall judge whether or not an investigation is necessary pursuant to the provisions of the immediately subsequent article taking into account the course of events and circumstances that led to the withdrawal.
7. In the course of a Preliminary Investigation, the Departmental Manager in Charge of Research Integrity in the Relevant Department may require the Reporting Person, the person reported, and other associated parties to cooperate as necessary. Moreover, in the event that a Department within the university holds originals or copies of materials necessary for the scrutiny of materials under paragraph 4, the Departmental Manager in Charge of Research Integrity in the Relevant Department or the Investigation Committee may require said Department to loan said originals or provide said copies.

(Reporting and notification of the need for a Formal investigation)

- Article 7. The Investigation Committee shall, in accordance with a report on the results of a Preliminary Investigation under paragraph 1 and 2 of the preceding article, promptly decide whether or not to conduct a more full-scale investigation (hereinafter referred to as a “Formal investigation”), and report this decision together with the grounds therefor to the Executive Vice-President and the Departmental Manager in Charge of Research Integrity in the Relevant Department. If considered necessary when determining whether or not to conduct a Formal investigation, the Investigation Committee may request opinions, etc. from Faculty and Staff Members of Departments other than the Relevant Department who possess insight into the field of research that is the subject of the reporting.
2. The Investigation Committee may refrain from conducting a Formal investigation into a report in the event that the Research Data Storage Period has passed since the time the reported Research Misconduct is estimated to have occurred or it is otherwise considered difficult to conduct a Formal investigation. The Investigation Committee shall report such cases to the Executive Vice-President together with the grounds therefor, and the Executive Vice-President shall notify the Reporting Person (including an academic society, Another Organization, etc. that identified the Research Misconduct; hereinafter the same).
 3. A Formal investigation shall be initiated within 30 days counting from the day the decision to conduct it was made.
 4. Upon receiving a report of a decision to conduct a Formal investigation pursuant to paragraph 1, the Departmental Manager in Charge of Research Integrity in the Relevant Department shall establish a committee (hereinafter referred to as a “Departmental Investigation Committee”) to conduct an investigation (hereinafter referred to as a “Departmental Investigation”) into the matter.
 5. Notwithstanding the provision of the preceding paragraph, in the event that there are two or more associated Departments, these Departments may establish a single Departmental Investigation Committee jointly.
 6. In the event that the preceding paragraph applies, a representative Departmental Manager in Charge of Research Integrity shall be selected based on consultation among the associated Departments.
 7. In the event that the Departmental Manager in Charge of Research Integrity in the Relevant Department (or the representative Departmental Manager in Charge of Research Integrity

in the event that one has been selected pursuant to the preceding paragraph; hereinafter the same) establishes a Departmental Investigation Committee pursuant to the provisions of paragraphs 4 or 5, said Departmental Manager in Charge of Research Integrity in the Relevant Department shall report this establishment to the Executive Vice-President together with the names and affiliations of the members of the Departmental Investigation Committee.

8. Upon receiving a report of a decision to conduct a Formal investigation pursuant to paragraph 1, the Executive Vice-President shall promptly report said decision and the grounds therefor to the President.
9. Upon receiving a report under paragraph 7, the Executive Vice-President shall promptly notify the Reporting Person and the person reported of the decision to conduct a Formal investigation, the grounds therefor, and the names and affiliations of the members of both the Investigative Committee (including replacement members in the event of replacement pursuant to Article 3, paragraph 8) and the Departmental Investigative Committee (including replacement members in the event of replacements pursuant to mutatis mutandis application of Article 3, paragraph 8 under the provisions of Article 11, paragraph 2).
10. In the event that the Executive Vice-President receives a report of a decision not to conduct a Formal investigation pursuant to paragraph 1, the Executive Vice-President shall promptly notify the Reporting Person of said decision and the grounds therefor.
11. In the event that a Reporting Person who has received notification under the preceding paragraph makes a request for disclosure of materials pertaining to the Preliminary Investigation, such disclosure may be made only of those materials that the Investigative Committee considers appropriate to disclose.
12. Upon receiving a report under paragraph 8, the President shall report the decision to conduct a Formal investigation promptly to the Ministry of Education, Culture, Sports, Science and Technology.
13. Upon receiving a report under paragraph 8, in the event that the research to which the reported case pertains was conducted using funds allocated from Another Organization, the President shall report the decision to conduct a Formal investigation promptly to said funding organization. Moreover, in the event that a person reported is affiliated with Another Organization, the President shall report the decision to conduct a Formal investigation promptly to the head of said organization.
14. In the event that a report of a decision to conduct a Formal investigation is made pursuant to paragraph and the content of the Formal investigation includes an investigation into the possibility that the reporting was made with Malicious Intent, the Executive Vice-President shall notify the Departmental Manager in Charge of Research Integrity of the Department with which the Reporting Person is affiliated and report to the President. In such case, if the Reporting Person is affiliated with Another Organization, the President shall report to the head of said organization.

(Objections)

- Article 8. If a Reporting Person or person reported objects to the content of a notification under paragraph 9 or 10 of the preceding article, he/she may lodge an objection to the Executive Vice-President within 7 days of the day of receiving said notification.
2. Objections under the preceding paragraph must be lodged in writing (including by fax or e-mail; hereinafter the same) with the nature and grounds of the objection stated concretely.
 3. In the event that an objection is lodged pursuant to paragraph 1, the Executive Vice-President shall review its content and, if considered necessary, replace members of the Investigation Committee for the Formal investigation, and/or direct the Departmental Manager in Charge of Research Integrity in the Relevant Department to conduct another Preliminary Investigation or replace members of the Departmental Investigative Committee to whom the objection pertains.
 4. If members of the Investigation Committee and/or Departmental Investigation Committee are replaced as a result of a review under the preceding paragraph, the Executive Vice-President shall notify the Reporting Person and the person reported of the names and

affiliations of the members of the Investigative Committee and/or Departmental Investigative Committee to whom the replacement pertains.

5. In the event that a Reporting Person or person reported receiving a notification under the preceding paragraph objects to the replacement members of the Investigative Committee and/or Departmental Investigative Committee, he/she may lodge an objection to the Executive Vice-President within 7 days of the day of receiving said notification. The provisions of the preceding three paragraphs shall apply mutatis mutandis in such case.

(Suspension of use of research funds)

Article 9. In the event that the Departmental Manager in Charge of Research Integrity in the Relevant Department receives a notification of a decision to conduct a Formal investigation pursuant to Article 7, paragraph 1, said Departmental Manager may prevent a person reported (other than one affiliated with Another Organization) from using research funds for research to which the reported case pertains and/or institute other measures considered necessary, until such time as he/she receives a report under Article 14, paragraph 5.

(Departmental Investigation)

Article 10. When conducting a Departmental Investigation, the Departmental Investigation Committee shall formulate an investigation policy that states matters such as the subject of the investigation and the methods to be used in it, and shall report said investigation policy to the Departmental Manager in Charge of Research Integrity in the Relevant Department.

2. Upon receiving a report under the preceding paragraph, the Departmental Manager in Charge of Research Integrity in the Relevant Department shall report the investigation policy to the Investigation Committee.
3. Upon receiving a report under the preceding paragraph, the Investigation Committee shall verify the investigation policy, and if considered necessary, shall direct the Departmental Investigation Committee, via the Departmental Manager in Charge of Research Integrity in the Relevant Department, to amend the investigation policy.
4. The Departmental Investigation Committee shall report the investigation policy amended in accordance with directions under the preceding paragraph to the Investigation Committee, via the Departmental Manager in Charge of Research Integrity in the Relevant Department.

(Departmental Investigation Committee)

Article 11. A Departmental Investigation Committee must be composed of at least 3 members, including Faculty and Staff Members of the university nominated by the Departmental Manager in Charge of Research Integrity in the Relevant Department, and external experts engaged by the Departmental Manager in Charge of Research Integrity in the Relevant Department, provided that at least one half of the members must be external experts, and one of these must be a specialist in legal affairs.

2. The provisions of Article 3, paragraphs 7, 8, and 10 shall apply mutatis mutandis to Departmental Investigation Committees. In such case, the term "Investigation Committee" shall be replaced with "Departmental Investigation Committee," the term "Executive Vice-President" with "Departmental Manager in Charge of Research Integrity in the Relevant Department" the term "paragraphs 1 and 8" with "Article 11, paragraph 1, and Article 3 paragraph 8 applied mutatis mutandis," and "member of the Investigation Committee" with "member of the Departmental Investigation Committee."
3. Matters necessary for Departmental Investigation Committees other than those stipulated in the preceding two paragraphs shall be stipulated by the Departmental Manager in Charge of Research Integrity in the Relevant Department.

(Investigation methods, etc.)

Article 12. Departmental Investigations shall be conducted using methods such as scrutiny of research papers, experiment and observation notes, raw data, and other materials pertaining to the research that the reporting identifies, interviews of associated parties, and,

where necessary, requiring the person reported to perform repeat experiments, etc. and submit materials necessary for investigation.

2. In the course of an investigation under the preceding paragraph, the person reported must be notified he/she has an opportunity to provide an explanation, and must be provided with the time and opportunity (including equipment, funds, etc.) necessary to perform repeat experiments, etc. in the event that these have been required.
3. In the event that a person reported who has received a notification under the preceding paragraph does not provide an explanation or does not perform repeat experiments, etc. by the deadline stated in said notification, the Departmental Manager in Charge of Research Integrity may judge that said person has forfeited the opportunity to do so.
4. Repeat experiments, etc. shall be performed under the direction and supervision of the Departmental Investigation Committee.
5. When making use of an opportunity to provide an explanation under paragraph 2 to refute the content of reporting, a person reported must furnish scientific arguments to explain that the relevant research was conducted in compliance with proper methods and procedures, and that related papers, etc. were expressed in appropriate language based thereon.
6. In the course of conducting an investigation under paragraph 1, the Departmental Manager in Charge of Research Integrity in the Relevant Department or the Departmental Investigation Committee may require the Reporting Person, the person reported, and other associated parties to cooperate as necessary. Moreover, in the event that a Department within the University holds originals or copies of materials necessary for the scrutiny of materials under paragraph 3, the Departmental Manager in Charge of Research Integrity in the Relevant Department or the Departmental Investigation Committee may require said Department to loan said originals or provide said copies.
7. Notwithstanding the provisions of paragraph 1, the Departmental Investigation Committee may make other research conducted by a reported person the subject of its investigation, if considered beneficial and necessary for said investigation.
8. In the course of investigations under paragraph 1 and the preceding paragraph, the Departmental Manager in Charge of Research Integrity in the Relevant Department may direct that measures be taken to preserve materials for use as evidence, provided that regard must be given to minimizing the scope and duration of such measures so as not overly to restrict the research activities of the person reported.
9. Persons associated with an investigation must not divulge unpublished data or confidential research and technical information in a paper connected with the research that is subject to the investigation, beyond the scope necessary for carrying out the investigation.

(Reporting Departmental Investigation results)

Article 13. The Departmental Investigation Committee shall conduct an investigation into the matters set forth below, compile its results, and report them to the Departmental Manager in Charge of Research Integrity in the Relevant Department.

- (1) Whether or not Research Misconduct has occurred;
 - (2) If Research Misconduct is judged to have occurred: the details thereof, the person(s) involved in the Misconduct, the degree of their involvement, the roles in the research judged to have involved Misconduct and authorship of papers, etc. pertaining thereto of each author of said papers, etc., and the impact on the academic discipline of said research and said papers, etc.;
 - (3) If the person(s) involved in the Research Misconduct are judged to have acted on the directions of another person: whether or not they were in a position to refuse said directions; and
 - (4) If Misconduct is judged not to have occurred: whether or not the reporting was made with Malicious Intent.
2. In the event that the Departmental Investigation Committee makes a report to the Departmental Manager in Charge of Research Integrity in the Relevant Department pursuant to the preceding paragraph and judges that Research Misconduct has occurred, the Departmental Investigation Committee shall also report on matters including the factors

leading to the Research Misconduct and measures to prevent recurrence.

3. Upon receiving a report under the preceding two paragraphs, the Departmental Manager in Charge of Research Integrity in the Relevant Department shall report the results of said report promptly to the Investigation Committee.

(Verification, findings, and reporting of investigation results)

Article 14. Upon receiving a report under paragraph 3 of the preceding article, the Investigation Committee shall verify the results of the investigation, comprehensively judge the physical and scientific evidence, testimony, admissions, etc., by the person reported, and other factors, and make a finding on whether or not Research Misconduct has occurred, provided that a finding that Research Misconduct has occurred cannot be made solely on the basis of an admission by a person reported.

2. Following a report under paragraph 3 of the preceding article, the Investigation Committee may find that Research Misconduct has occurred if the explanation provided under Article 12, paragraph 5 by a person reported and other evidence submitted is not sufficient to overturn the suspicion of Research Misconduct. The same applies if the person reported is unable to furnish evidence sufficient to overturn the suspicion of Research Misconduct owing to the non-existence of experiment or observation notes, raw data, or other materials for which the mandatory storage period has not yet expired, or other such deficiency of basic elements that should normally be in existence. However, this does not apply in the event that there are considered to be reasonable grounds, such as in the event that experiment or observation notes, raw data, or other materials pertaining to the research that is identified in the reporting cannot be adequately furnished owing to natural disaster or other unavoidable grounds or matters not attributable to the person reported and despite the person reported exercising the due care of a prudent manager.
3. When judging the degree of responsibility for explanation and the materials, etc. that should normally be in existence under the preceding paragraph, the Investigation Committee shall take into account the characteristics of the relevant field of research.
4. If the Investigation Committee judges the Departmental Investigation to be inadequate, it shall send the Departmental Investigation back to the Departmental Manager in Charge of Research Integrity in the Relevant Department with directions to conduct the required investigation.
5. The Investigation Committee shall verify the matters set forth below, compile an investigation report including these matters, and report to the Executive Vice-President and Departmental Manager in Charge of Research Integrity in the Relevant Department within approximately 150 days of commencement of the Formal investigation.
 - (1) Whether or not Research Misconduct has occurred;
 - (2) If Research Misconduct is found to have occurred: the details thereof, the person(s) involved in the Misconduct, the degree of their involvement, the roles in the research found to have involved Misconduct and authorship of papers pertaining thereto of each author of said papers, etc., and the impact on the academic discipline of said research and said papers, etc.;
 - (3) If Research Misconduct is found to have occurred: the factors leading thereto, measures to prevent recurrence, etc.;
 - (4) If the person(s) involved in the Research Misconduct are found to have acted on the directions of another person: whether or not they were in a position to refuse said directions; and
 - (5) If Misconduct is found not to have occurred: whether or not the reporting was made with Malicious Intent.
6. When making a finding that Research Misconduct did not occur and that the report was made with Malicious Intent, the Investigation Committee must grant the Reporting Person an opportunity to provide an explanation in written or oral form.
7. An explanation under the preceding paragraph shall be submitted in writing or made by appearance at the Investigation Committee in principle within 14 days after the opportunity to provide the explanation is granted.

8. In the event that the preceding paragraph applies, the Reporting Person shall be unable to contest the finding of Malicious Intent if he/she fails to make a submittal in writing or to appear at the Investigation Committee in the absence of legitimate grounds.

(Notification of investigation results)

Article 15. The Executive Vice-President shall report promptly to the President on investigation results that are reported under paragraph 5 of the preceding article.

2. Upon receiving a report under the preceding paragraph, the President shall report the investigation results to the Ministry of Education, Culture, Sports, Science and Technology.
3. In the event that a report has been made to a funding organization or the head of Another Organization has been notified pursuant to Article 7, paragraph 13 by the time a report is received under the provision of paragraph 1, the President shall report the investigation results regarding which said report was received to said funding organization or notify said results to said head of Another Organization.
4. The Executive Vice-President shall notify the Reporting Person and person reported (including other person(s) found to have been involved in the Research Misconduct; hereinafter the same) of the matters set forth below with regard to a report on investigation results received pursuant to paragraph 5 of the preceding article, promptly after the report or notification pursuant to the preceding two paragraphs has been carried out.
 - (1) Whether or not Research Misconduct has occurred;
 - (2) If Research Misconduct is found to have occurred: the details thereof, the person(s) involved in the Misconduct, the degree of their involvement, the roles in the research found to have involved Misconduct and authorship of papers pertaining thereto of each author of said papers, etc., and the impact on the academic discipline of said research and said papers, etc.;
 - (3) If the person(s) involved in the Research Misconduct are found to have acted on the directions of another person: whether or not they were in a position to refuse said directions; and
 - (4) If Misconduct is found not to have occurred: whether or not the reporting was made with Malicious Intent.
5. If a report is received pursuant paragraph 5 of the preceding article in the event that a report was made under Article 7, paragraph 14, or if investigation results reported pursuant to paragraph 5 of the preceding article include a finding that the report was made with Malicious Intent, even in the event that no report was made under Article 14, paragraph 7, the Executive Vice-President shall notify the investigation results to the Departmental Manager in Charge of Research Integrity of the Department with which the Reporting Person is affiliated. However, in the event that the Reporting Person is affiliated with Another Organization, the President shall notify the head of said Organization of the investigation results.
6. In the event that the President has made a report to the Ministry of Education, Culture, Sports, Science and Technology or a funding organization pursuant to Article 7, paragraph 12 or 13 and said Ministry or said funding organization requests a report on the progress of the investigation into Research Misconduct, the President shall report the status of progress of the investigation to said Ministry or said funding organization.

(Appeals)

Article 16. A Reporting Person (only a Reporting Person whose report is found to have been made with Malicious Intent [including where such finding is the result of a re-investigation pursuant to the provisions of the immediately subsequent article upon an appeal by a person reported]) or a person reported (only where such person has been found to have engaged in Research Misconduct) who has received a notification under paragraph 4 of the preceding article may lodge an appeal to the Executive Vice-President within 30 days counting from the day said notification was received. An appeal by a Reporting Person in such case shall only concern the finding that the report was made with Malicious Intent.

2. Appeals under the preceding paragraph shall be lodged in writing with the nature and

grounds of the appeal stated concretely.

3. A person lodging an appeal under paragraph 1 may not lodge a further appeal on the same grounds, even within 30 days counting from the day the notification under paragraph 4 of the preceding article was received.
4. Upon receiving an appeal lodged under paragraph 1, the Executive Vice-President shall notify the Reporting Person in the event that the appeal was lodged by a person reported, and the person reported in the event that the appeal was lodged by the Reporting Person. Moreover the Executive Vice-President shall notify the President and the Departmental Manager in Charge of Research Integrity of the Department that conducted the investigation to which the appeal pertains (or the representative Departmental Manager in Charge of Research Integrity in the event that one has been installed pursuant to the provisions of Article 7, paragraph 6; same applies in paragraphs 4 and 10 of the immediately subsequent article).
5. In the event that a notification has been made under paragraph 5 of the preceding article, upon receiving an appeal under paragraph 1 the Executive Vice-President shall notify the Departmental Manager in Charge of Research Integrity of the Department with which the Reporting Person is affiliated. However, in the event that the Reporting Person is affiliated with Another Organization, the President shall notify the head of said Organization.
6. In the event that a report has been received under paragraph 4, the President shall notify the Ministry of Education, Culture, Sports, Science and Technology that an appeal has been lodged.
7. In the event that a report under paragraph 3 of the preceding article or a notification under paragraph 4 of the same article has been made, upon receiving a report under paragraph 4 the President shall report to the funding organization that an appeal has been lodged, and/or notify said lodgment to the head of the Another Organization with which the person reported is affiliated.

(Appeal review and re-investigation)

- Article 17. Upon receiving an appeal lodged under paragraph 1 of the preceding article, the Executive Vice-President shall have the Investigation Committee conduct a review of the appeal. In the event that the review requires new specialized judgment and the Executive Vice-President judges there are adequate grounds for altering the composition of the Investigation Committee, the Executive Vice-President may replace members of the Investigation Committee, install expert members as required to assist the work of committee members and provide necessary advice, or allow another person conduct the review in place of the Investigation Committee.
2. In the event that members of the Investigation Committee are replaced or another person is allowed to conduct the review in place of the Investigation Committee pursuant to the second sentence of the preceding paragraph, the Executive Vice-President shall notify the Investigation Committee, the Reporting Person, and the person reported of the names and affiliations of the replacement members of the Investigation Committee or the person allowed to conduct the review in place of the Investigation Committee.
 3. In conducting a review under paragraph 1, the Investigation Committee shall promptly consider whether or not to conduct a re-investigation of the case, taking into account the nature and grounds of the appeal, and shall report the outcome of its review promptly to the Executive Vice-President.
 4. After receiving a report under the preceding paragraph, the Executive Vice-President shall promptly decide whether or not to conduct a re-investigation and report this decision together with the grounds therefor to the President, as well as notifying the Reporting Person, person reported, and the Departmental Manager in Charge of Research Integrity of the Department that conducted the investigation to which the appeal pertains. Moreover, in the event that a notification has been made under paragraph 5 of the preceding article, the Executive Vice-President shall notify the Departmental Manager in Charge of Research Integrity of the Department with which the Reporting Person is affiliated. However, in the event that the Reporting Person is affiliated with Another Organization, the President shall

notify the head of said Organization.

5. Upon receiving a report under paragraph 4, the President shall notify the Ministry of Education, Culture, Sports, Science and Technology whether or not a re-investigation will be conducted.
6. In the event that a report or a notification has been made under paragraph 7 of the preceding article, upon receiving a report under paragraph 4 the President shall report to the funding organization or notify the head of Another Organization with which the person reported is affiliated on whether a re-investigation will be conducted.
7. If the Executive Vice-President has decided to conduct a re-investigation, the Executive Vice-President shall direct the Investigation Committee to conduct a re-investigation, and the Investigation Committee shall direct the Departmental Manager in Charge of Research Integrity in the Relevant Department to conduct the necessary re-investigation.
8. A Reporting Person or person reported who has lodged an appeal shall cooperate in good faith in the event that as part of a re-investigation he/she is requested to submit materials sufficient to overturn the results of an investigation under Article 14, paragraph 5, or otherwise to provide cooperation required for the prompt resolution of the case. If the Reporting Person or person reported fails to provide the required cooperation, the re-investigation may be cancelled or terminated.
9. In the event that a re-investigation has been commenced, the Departmental Manager in Charge of Research Integrity in the Relevant Department shall report the results of said re-investigation to the Investigation Committee within 50 days (30 days in the event of an appeal by a Reporting Person) counting from the day the decision to conduct the re-investigation was made.
10. Upon receiving a report under the preceding paragraph, the Investigation Committee shall verify the results of the re-investigation, decide whether or not to overturn the results of the investigation under Article 14, paragraph 5, and report the outcome promptly to the Executive Vice-President and Departmental Manager in Charge of Research Integrity of the Department that conducted the investigation to which the appeal pertains.
11. The provisions of Article 15, paragraphs 1 through 5 shall apply mutatis mutandis to cases of reporting and notification of results of a re-investigation. In this case, the words “paragraph 5 of the preceding article” shall be replaced by “Article 17, paragraph 10,” and the words “investigation results” by “re-investigation results.”

(Provision of contact details and method of issuing notifications)

- Article 18. Notification to Reporting Persons and persons reported stipulated in these Guidelines (hereinafter referred to as “Written Notification”) shall be performed by personal delivery or dispatch of a document in writing. In such case, in the event that Written Notification is performed by dispatch, said Written Notification is deemed to occur upon the document reaching its destination.
2. In order to perform Written Notification pursuant to the stipulations of the preceding paragraph, the Executive Vice-President may request Reporting Persons and persons reported to provide their contact details for the purpose of Written Notification, setting a reasonable period of time for said provision. In such case, the Reporting Person or person reported receiving the request must provide the Executive Vice-President with their contact details promptly.
 3. A Reporting Person or person reported who has provided contact details pursuant to the provisions of the preceding paragraph must provide new contact details to the Executive Vice-President promptly in the event of any change in contact details owing to change of residence or other circumstances while the procedures stipulated in these Guidelines remain ongoing.
 4. In the performance of Written Notification by dispatch pursuant to the provisions of paragraph 1, in the event that a document does not reach its destination or cannot be confirmed to have done so, despite having been dispatched to the address provided to the Executive Vice-President most recently by the Reporting Person or person reported to whom the document is addressed, the Executive Vice-President may take into consideration a

Faculty and Staff Member's prior residential status, work attendance, contacts, and other circumstances relating to said Faculty and Staff Member's whereabouts and of which the University is aware, and dispatch the document to an address, place of residence, workplace, or other location at which the document can be expected to reach said Faculty and Staff Member.

5. A document dispatched in accordance with the provisions of the preceding paragraph is deemed to have reached its destination at a time that it should normally do so, taking into account the status of postal delivery services and other circumstances. However, this shall not apply if the document is found to have reached its destination prior to the time that it should normally do so.

(Submittal of investigation materials, etc.)

Article 19. In the event that a report has been made to the Ministry of Education, Culture, Sports, Science and Technology or a funding organization pursuant to Article 7, paragraph 12 or 13 and said Ministry or organization so demands, the Executive Vice-President may, following deliberation by the Investigation Committee, submit to said Ministry or organization materials related to an investigation pertaining to Research Misconduct, or allow perusal of said materials thereby. However, this does not apply in the event that it would impede an investigation by the Investigation Committee or Departmental Investigation Committee or there are other reasonable grounds.

(Publication of investigation results, etc.)

Article 20. In the event that a investigation results under Article 14, paragraph 5 or re-investigation results under Article 17, paragraph 10 (hereinafter referred to as "Investigation Results, etc.") include a finding that Research Misconduct occurred, the Executive Vice-President shall publish the matters set forth below.

- (1) The name(s) and affiliation(s) of person(s) involved in the Research Misconduct;
 - (2) Details of the Research Misconduct;
 - (3) Details of the measures taken by the University against the Research Misconduct prior to publication;
 - (4) The names and affiliations of members of the Investigation Committee and Departmental Investigation Committee;
 - (5) The methods and procedures of the investigation; and
 - (6) Other matters considered necessary by the Executive Vice-President
2. In principle, the Executive Vice-President shall not publish the Investigation Results, etc. in the event that they include a finding that there was no Research Misconduct. However, in the event that the person reported so requests, the Executive Vice-President may publish the name and affiliation of the person reported, the finding that there was no Research Misconduct, the names and affiliations of members of the Investigation Committee and Departmental Investigation Committee, and the method and procedures of investigation.
 3. In the event that the Investigation Results, etc. include a finding that the reporting was done with Malicious Intent, the Executive Vice-President shall publish said finding.
 4. Publication under the preceding three paragraphs shall be carried out taking into account the period for lodging an appeal pursuant to the provisions of Article 16, paragraph 1.
 5. The Executive Vice-President must give due consideration, as required, if students are included in the details to be published.
 6. In the event of an investigation conducted pursuant to the provisions of Article 11, paragraph 8 of the Regulations that is based on Research Misconduct identified in a news report, the Executive Vice-President shall publish the status of the investigation as necessary.

(Measures after findings are made)

Article 21. In the event that investigation results include a finding that Research Misconduct occurred, the Departmental Manager in Charge of Research Integrity in the Relevant Department may institute or extend the measures provided in Article 9 and/or Article 12,

paragraph 8.

2. In the event that investigation results include a finding that Research Misconduct did not occur, the Departmental Manager in Charge of Research Integrity in the Relevant Department shall terminate all measures instituted based on the reporting, as well as instituting measures in order to restore the honor of the person found not to have engaged in Research Misconduct and to prevent any disadvantage occurring.
3. In the event that investigation results under Article 14, paragraph 5 include a finding that there was Research Misconduct and an appeal regarding said investigation results is lodged under Article 16, paragraph 1, the Executive Vice-President may as required institute measures such as having the Departmental Manager in Charge of Research Integrity in the Relevant Department withhold measures under paragraph 1.
4. In the event of instituting measures under the preceding paragraph, upon receiving a report under Article 17, paragraph 10, the Executive Vice-President shall institute necessary measures such as having the Departmental Manager in Charge of Research Integrity in the Relevant Department institute the measures that were withheld under the preceding paragraph.

(Investigation with multiple organizations)

Article 22. In the event that a person reported is affiliated with the University and Another Organization and conducted the research activities to which the reported case pertains primarily at the University, the University shall take the lead in conducting the investigation pertaining to Research Misconduct, with the cooperation of said Organization.

2. In the event that the reported research activity was conducted by a Faculty and Staff Member of the University at Another Organization or in the event that a person was a Faculty and Staff Member of the University at the time they conducted the research to which the reporting pertains but has subsequently resigned from the University and is currently affiliated with Another Organization, the investigation pertaining to Research Misconduct shall be conducted jointly by the University and said Organization.
3. The structures, methods, division of responsibilities, and other matters in an investigation into Research Misconduct in cases under the preceding two paragraphs shall be decided in each case separately following consultation with the relevant organization.

(Other investigations)

Article 23. In the event that the Executive Vice-President considers an investigation into Fraudulent Use of Competitive Funds, etc. to be necessary in addition to the provisions of Article 5, paragraph 1, the Executive Vice-President may direct the relevant Departmental Manager in Charge of Research Integrity to conduct said investigation.

2. Investigations under the preceding paragraph shall in principle be conducted in conformity with these Guidelines.

(Exclusions)

Article 24. The provisions of Article 7 paragraph 12, Article 15 paragraph 2, Article 16 paragraph 6, Article 17 paragraph 5, and Article 20 shall not apply in the event that the subject of the reporting falls under any of the following.

- (1) Misconduct pertaining to research that was published in papers, etc. prior to the release of the document "Toward Guidelines for Responding to Misconduct in Research :Report of the Special Committee on Research Misconduct (the Council for Science and Technology Special Committee on Scientific Misconduct, August 8, 2006);
- (2) Misconduct pertaining to the production of a paper in the course of curricular studies (except where subject to the guidelines of the Ministry of Education, Culture, Sports, Science, and Technology)

(Other matters)

Article 25. The Executive Vice-President shall stipulate any matters necessary for the conduct of investigations pertaining to Research Misconduct that are not stipulated in these

Guidelines.

Supplementary Provision

These Guidelines shall be implemented from March 1, 2015. However, in the application Article 6, paragraph 1, clause (3) to investigations pertaining to research data to which the provisions determined by the Executive Vice-President in Charge pursuant to Article 7, paragraph 2 of the Regulations do not apply, the words “the period for storage of research data determined pursuant to Article 7, paragraph 2 of the Regulations by the Executive Vice-President in Charge (referred to as the “Research Data Storage Period” in Article 8)” in said clause shall be replaced with “storage periods, etc. that are reasonable in light of the characteristics of each field of research for raw data, experiment and observation notes, experiment materials, reagents, and other items that enable subsequent verification of research results (referred to as the ‘Research Data Storage Period’ in Article 8).”

Supplementary Provision (Ruling of President, September 2015)

These Guidelines shall be implemented from September 1, 2015.

Supplementary Provision (Ruling of President, March 2017)

These Guidelines shall be implemented from March 31, 2017.

Supplementary Provision (Ruling of President, March 2019)

These Guidelines shall be implemented from April 1, 2019.

Supplementary Provision (Ruling of President, September 2020)

These Guidelines shall be implemented from October 1, 2020.

Supplementary Provision (Ruling of President, December 2020)

These Guidelines shall be implemented from January 1, 2021.

Supplementary Provision (Ruling of President, March 2021)

These Guidelines shall be implemented from April 1, 2021.

Supplementary Provision (Ruling of President, August 2021)

These Guidelines shall be implemented from September 1, 2021.