

IUJ Regulations for Preventing and responding to Misconduct in Research (Translation)

Established March 29, 2017

Revised December 1, 2022

Chapter 1 General Provisions

(Purpose)

Article 1 The purpose of these regulations is to provide for necessary measures and actions for preventing and responding to misconduct in research.

(Definitions)

Article 2 The meaning of following terms as used in these regulations shall be as provided for in each of the following paragraphs.

(1) Research misconduct

① Fabrication, falsification, or plagiarism of data or research findings, etc., indicated in a submitted research paper or other published research results (hereinafter “specific research misconduct”), either willfully or due to gross neglect of the basic duty of care expected of a researcher.

(a) Fabrication

Making up data or research results, etc.

(b) Falsification

Manipulating research materials, equipment, or processes to change data or results obtained from research activities.

(c) Plagiarism

Appropriating the ideas, analysis, analytical methods, data, research results, research paper(s), or words of other researchers without obtaining the permission of the researchers or giving appropriate credit.

② Inappropriate behaviors except the above, including duplicate submission (submitting essentially the same research paper as one that has already been published or submitted to another journal) and inappropriate authorship (failure to attribute authorship of a paper to the qualified authors) that are highly deviated from the standard ethics in light of the code of conducts for scientists and a social norm.

(2) Researchers: All members conducting research with the name of IUJ, including faculty members, staff members and students (regardless of the status whether full-time or part-time, visiting researchers or students.)

(3) Departments: Graduate Schools, Centers and Research Institutes annexed to IUJ where researchers belong; namely, Graduate School of International Relations, Graduate School of International Management, Center for Language Education and

Research, IUJ Research Institute, Center of Global Communication.

(Responsibilities of Researchers)

Article 3 Researchers must not commit any misconduct and any other inappropriate behavior in research and must make every effort to prevent misconduct of others.

3-2 Researchers must take Responsible Conduct of Research (RCR) education program or relevant courses.

3-3 Researchers must ensure the methods for after-the-fact verification of research results and preserve research and survey data including, experimental and observation notes, experimental data, and other materials appropriately for a set period so that third party can examine and judge the research results. Researchers must disclose the data as needed.

Chapter 2 Organizational Structure for Preventing Misconduct

(Managing Director)

Article 4 President shall be primarily responsible with authority as Managing Director at IUJ for developing research ethics and prevention of research misconduct and shall implement appropriate measures for promoting ethical research activities.

(Department Director)

Article 5 Deans and Directors shall be responsible with authority as Department Director at their department for developing research ethics and prevention of research misconduct and shall implement appropriate measures for promoting ethical research activities.

(RCR Officer)

Article 6 President shall appoint Department Directors as RCR (Responsible Conduct of Research) education officers who are responsible and have authority for providing RCR education for their department.

6-2 RCR Education Officers must provide RCR Education for researchers in their department on a regular basis.

Chapter 3 Receiving Allegation

(Contact Point for Allegation)

Article 7 IUJ shall set up a contact point for quickly and adequately responding to allegations or consultations at Office of Internal Auditing (OIA).

Article 8 Any complainants who believe to have found suspected cases of research

misconduct may make allegations shall be made to the contact point in writing, by telephone, fax, email, or in person.

8-2 As a general rule, allegations should be accepted only if they are made non-anonymously, they clearly indicate the researcher or group suspected of misconduct along with the nature of the misconduct and description of the case, and a scientifically rational reason is indicated for considering it as misconduct.

8-3 When deemed necessary, a responsible person of the contact point may accept an allegation made anonymously.

8-4 When receiving an allegation, the contact point shall report it to President without delay. President shall then inform department directors relevant to the allegation.

8-5 If an allegation is made in writing or by other means that would preclude the complainant from knowing whether it was received, the contact point shall notify the complainant that his or her allegation was received (applies only to non-anonymous complainants).

8-6 When research misconduct is pointed out by news organizations (newspapers etc), by the scientific community or by the internet etc, the case may be treated in a similar way as if an allegation had been made to the contact point anonymously (applied only when it indicates the researcher or group suspected of misconduct along with the nature of the misconduct and description of the case, and a scientifically rational reason is indicated for considering it as misconduct.)

8-7 In exceptional circumstances, President referred to in or after Article 8 in these regulations may be replaced by IUJ Chairman.

(Consultations)

Article 9 Those who believe to have found suspected cases of research misconduct may make consultations at the contact point for their questions concerning procedural and other issues for allegations.

9-2 In the case of a consultation where the intention to make an allegation is not explicit, the contact point shall, depending on the contents, check and examine the case. If there is deemed to be sufficient reason to make an allegation, the contact point shall confirm with the consulter whether he or she intends to make an allegation or not.

9-3 In the case of consultations declaring that someone intends to commit research misconduct, or that someone was asked to commit such misconduct, the contact point shall report it to President.

9-4 When a report described in above article 9-3, President shall check and examine the case, and if there is deemed to be sufficient reason, shall issue a warning to those involved in the reported case.

(Obligations for contact point)

Article 10 The staff of contact point shall hold to an obligation of protection and

confidentiality of complainants.

10-2 When receiving an allegation, proper measures shall be taken to protect the confidentiality of the contents and the complainant, such as by holding consultations in a private room and by ensuring that telephone calls, email and other information are not heard or seen by persons other than the staff handling allegations

10-3 The above article shall be applied to consultations.

Chapter 4 Handling of persons involved

(Confidentiality)

Article 11 All those who are involved in performing the duty in these regulations must not leak secrets, which they come to know in the course of their duties, to others.

11-2 President To prevent information being leaked to persons outside the investigation against the will of the complainant and respondent, a research institution or research funding organization shall hold all parties involved to an obligation of confidentiality. Such confidentiality shall apply to the complainant bringing an allegation to its contact point, the respondent, details of the allegation, and details of the investigation, up until the investigation results are made public.

11-3 If a case under investigation is leaked, President shall, with the consent of the complainant and respondent, be able to provide a public explanation of the case even though the investigation is still ongoing. If the complainant or the respondent was responsible for the leak, however, that person's consent shall not be needed.

11-4 President or other persons involved must pay attention to preventing infringement of human rights, honor and privacy of complainants, respondents cooperators to the investigation and/or those involved in the case when communicating with them.

(Protection of complainants)

Article 12 Department Directors must take appropriate measures to prevent deterioration and discrimination against complainants because of their making accusations.

12-2 Anyone in IUJ shall not give any disadvantageous treatment to complainants because of making accusations.

12-3 President shall be able to give penalties to those who give disadvantageous treatment to complainants.

12-4 Provided an allegation is not determined to have been made out of malice, President shall not disadvantage the complainant such as by dismissal, demotion, salary reduction or other sanction, simply for having brought an allegation.

(Protection of respondents)

Article 13 Anyone in IUJ shall not give any disadvantageous treatment to respondents

just because of receiving accusations.

13-2 President shall be able to give penalties according to labor and relevant regulations to those who give disadvantageous treatment without considerable reasons to respondents.

13-3 Provided an allegation is not determined to have been made out of malice, President shall not disadvantage the complainant such as by dismissal, demotion, salary reduction or other sanction, simply for having brought an allegation.

(Allegations being lodged out of malice)

Article 14 No one may make allegations being lodged out of malice. In these regulations, allegations being lodged out of malice means those allegations made for the purpose of damaging the respondent, or of hindering research being conducted by the respondent, or otherwise solely to cause some kind of harm to the respondent or to disadvantage the institution or organization with which the respondent is affiliated.

14-2 If it is found that the allegation is lodged out of malice, President may take necessary measure including publicizing the name of the complainant, giving disciplinary actions against complainant and/or making criminal accusations.

Chapter 5 Investigating Reported Cases

(Preliminary investigation)

Article 15 Upon receiving allegations as described in Article 8 and/or judging it necessary for other reasons, President shall quickly launch a preliminary investigation.

15-2 As a general rule, President shall nominate the superior of the respondent as a chairperson for the preliminary investigation (hereinafter referred to as "Preliminary Chair").

15-3 The Preliminary Chair, if necessary, may request those involved in the reported cases to submit necessary documents required for the preliminary investigation and conduct hearing from them.

15-4 The Preliminary Chair may make measures to preserve relevant materials that can be evidence including experimental and observation notes, test materials and other items.

(Methods used in Preliminary investigation)

Article 16 The Preliminary Chair shall conduct preliminary investigation as to the reasonableness of the allegation entails assessing the likelihood that the reported instance of research misconduct occurred and the logicity of the scientifically rational reason indicated in the allegation, whether the allegation can be investigated properly in the formal investigation.

16-2 If a preliminary investigation involves any research paper(s), etc., withdrawn before a formal allegation was brought, the Preliminary Chair should examine the situation,

including the background and circumstances of the withdrawal, and determine whether or not the matter should be investigated as an instance of research misconduct.

(Determination to conduct formal investigation)

Article 17 The Preliminary Chair shall make report to President on the results of preliminary investigation within 30 days after the date of receiving an allegation or the direction for the preliminary investigation.

17-2 President shall immediately determine, based on the report of preliminary investigation, whether a formal investigation shall be conducted.

17-3 When deciding to conduct a formal investigation, President shall report it to IUJ Chairperson and notify complainants and respondents asking for cooperation to the investigation.

17-4 When deciding not to conduct a formal investigation, President shall notify the complainants with reasons for the decision. President shall preserve the materials, etc. involved in the preliminary investigation and shall disclose them to the research funding organization, etc. involved in the case and to the complainant if so requested.

17-5 When deciding to conduct a formal investigation for the case of Specific Research Misconduct, President shall inform the research funding organization, etc. involved in the matter and MEXT that a formal investigation will be carried out.

(Investigative Committee)

Article 18 When deciding to conduct formal investigation, the President shall immediately form an Investigative Committee.

18-2. An Investigative Committee shall consist of the following members.

- (1) One of Vice Presidents named by President
- (2) One of the Department Heads named by President (Deans of the Graduate Schools, Directors of Centers for Language Education and Research, IUJ Research Institute or Global Communication Center)
- (3) Within 2 members named by President from all the full-time faculty members
- (4) 1 or more individuals external to IUJ and knowledgeable in the field of investigation

18-3 The number of Committee members fallen into (4) above must be more than half of the total number of Committee members for the case of Specific Research Misconduct.

18-4. Those who have a direct interest with the complainant or the respondent may not be a Committee member.

18-5. The Committee shall have a chairperson to be assumed by the member elected as per in (1), article 18-2.

18-6. The Chairperson shall convene and chair a Committee meeting.

18-7. When the Chairperson is absent from unavoidable reasons, another Committee member, based on the rank predetermined by the President, shall act on behalf of him/her.

18-8. The Committee may not have a meeting and not make any decisions unless otherwise

it has presence of two-third of the Committee members.

18-9. The agenda items are decided on a majority basis of members present. When voting is even whether to accept or reject it, the Chairperson shall make a decision.

(Notification of Formal Investigation)

Article 19 When an investigative Committee is formed, President shall indicate the member names and affiliations to the complainant and the respondent.

19-2 In response, the complainant or respondent shall be able to raise an objection in writing to President within 7 days.

19-3 If an objection is raised, President shall examine the details, and if the objection is deemed to be reasonable the member shall be replaced, and notification to this effect shall be made to the complainant and the respondent.

(Investigation method)

Article 20 The Investigative Committee shall start investigation within 30 days after the date of decision to launch the formal investigation.

20-2 The Committee shall immediately notify the complainant and the respondent of the start of the investigation and ask their cooperation.

20-3 The formal investigation shall be carried out by close examination of the research paper(s), experimental and observation notes, raw data, and other materials relating to the research in question, as well as interviews with the parties involved.

20-4 The Committee must hold hearings to give the respondent an opportunity to offer a defense.

20-5 In investigating the likelihood that the alleged research misconduct occurred, the investigative Committee may ask the respondent to demonstrate reproducibility by such means as replicating experiments, or the investigative Committee may determine that replication is necessary following a request by the respondent. In such cases, experiment replication shall be carried out within the scope deemed by the investigating Committee to be reasonably necessary with regard to the time and resources required (including instruments, costs, etc.).

20-6 The complainant, the respondent and other persons concerned shall cooperate in good faith with the investigation by the investigative Committee based on the above investigative authority.

(Research activities covered by the investigation)

Article 21 In addition to the research activities related to the allegation, the investigative Committee may decide to include in the investigation other research activities carried out by the respondent if deemed relevant to the investigation.

(Preservation of evidence)

Article 22 In conducting the investigation, the investigating Committee shall take measures to preserve materials that might be used as evidence regarding the research activities subject to the allegation.

22-2 If the research in question was conducted at a research institution that is not IUJ, the investigating shall as the research institution concerned to take measures to preserve materials that might be used as evidence regarding the research activities subject to the allegation.

22-3 The Committee shall not restrict research activities by the respondent, provided that they do not affect these measures described in as above 2 articles.

(Interim report on the investigation)

Article 23 The investigating Committee shall, on request by the research funding organization, etc. providing budgeted or specially allocated funds for the research subject to the allegation, submit an interim report on the investigation, even if the investigation is not yet completed, to the research funding organization, etc.

(Protection of research and technological information in the investigation)

Article 24 In conducting the investigation, all due care shall be taken by the Committee not to leak information beyond the scope necessary for conducting the investigation. Such information includes data, research paper(s), or other information covered by the investigation that has not yet been made public and whose confidentiality should be maintained from a technical or research perspective.

(Accountability regarding suspicion of specific research misconduct)

Article 25 If during the investigation by the investigative Committee the respondent wishes to dispel the suspicion raised concerning the research activity, the respondent shall be responsible for presenting and explaining the scientific basis showing that the research was carried out in accordance with scientifically proper methods and procedures and that any research papers were written using proper expressions based thereon.

25-2 When replication is necessary, experiment replication shall be carried out within the scope deemed by the investigating Committee to be reasonably necessary with regard to the time and resources required (including instruments, costs, etc.) as guaranteed in Article 20-5.

Chapter 6 Determination of research misconduct

(Procedures for determination)

Article 26 The Committee shall summarize the findings of investigation within 150 days after the starting date of investigation. In the summary the Committee shall give its

determination as to whether research misconduct occurred or not, the nature of the misconduct if any, the persons involved in the misconduct and the degree of their involvement, and the roles of each of the authors involved in any associated research paper(s) with regard to the research activities as well as the paper(s) themselves.

(Methods of determination)

Article 27 The Committee shall determine research misconduct by hearing the explanations given by the respondent and also by making a comprehensive assessment of the evidence obtained through investigation, including the physical and scientific evidence, the testimony and any admission by the respondent.

27-2 Research misconduct cannot be determined based solely on an admission by the respondent.

27-3 If evidence was presented for the specific research misconduct, and the suspicion of specific research misconduct is not dispelled by the respondent's explanations or other evidence, that research misconduct shall be determined. The same shall be true if the respondent does not present sufficient evidence to dispel the suspicion of specific research misconduct due to a lack of raw data, experimental and observation notes, test samples and reagents, etc., or other key components of research that should normally exist.

(Notification and reporting of investigation results)

Article 28 President shall promptly report the investigation results (hereinafter to include the findings) to the Board of Trustees and shall notify them to complainant and the respondent (hereinafter to include persons other than the respondent determined to have been involved in the specific research misconduct). If the respondent is affiliated with an organization other than IUJ, notification of the results shall be made also to the organization of the respondent.

28-2 In addition to Article 28, if the case involves "Specific Research Misconduct," President shall report the results to the research funding organization, etc. involved in the matter and to MEXT.

28-3 If it is determined that the complaint was lodged out of malice, President shall notify the organization with which the complainant is affiliated.

(Appeal filing)

Article 29 A respondent found to have committed specific research misconduct shall be able to file an appeal to the Committee within 14 days after the date of receipt of the notification. It shall not be possible, however, to file repeated appeals for the same reason, even if it is within the deadline.

29-2 If the complainant is found to have lodged the allegation out of malice (including cases in which malice was determined during the investigation following an appeal by the respondent [as per Article 29 above]), an appeal may be filed by the complainant in line

with Article 29 above.

29-3 The investigation for an appeal shall be conducted by the investigative Committee. In that examination, if the nature of the appeal necessitates a decision requiring new expertise, President shall replace or add new investigative Committee members, or have the investigation carried out by other persons in place of the investigative Committee. This shall not apply, however, if President deems there to be no sufficient reason requiring the makeup of the investigative Committee to be changed.

29-4 Appointments for replacement in the above Article 29-3 shall be made according to the manner as described in Article 18.

29-5 In the case of an appeal filed by the respondent after specific research misconduct was determined, the investigative Committee (including the persons chosen to replace the initial investigative Committee members as per 29-3 above; the same applies throughout Article 29s (“Appeal filing”) shall promptly decide whether to conduct a new investigation of the case, taking into consideration the details of the appeal and reasons given, etc. If the Committee decides to reject the appeal without conducting a new investigation of the case, this shall be reported immediately to President and President shall notify the respondent of the decision. If in such a case it is judged that the appeal was filed mainly for the purpose of prolonging the case or delaying the sanctions accompanying the determination, President may decide not to accept any further appeals and notify the respondent.

29-6 If the Committee decides to conduct a new investigation in response to the appeal in Article 29 above, it shall report it to President. President report to the Board of Trustees and shall notify to those filing the appeal.

29-7 If the respondent files an appeal against the finding of research misconduct, President shall notify this to the complainant. In addition, if the case involves “Specific Research Misconduct,” President shall report this to the research funding organization, etc. involved in the matter and to MEXT. The same shall apply to the rejection of the appeal or to the decision to start a new investigation.

(Reinvestigation)

Article 30 If the Committee decides to conduct reinvestigation in response to the appeal in Article 29 above, it shall request the respondent to present materials sufficient for overturning the earlier investigation result and ask for cooperation toward the prompt resolution of the matter.

30-2 If such cooperation is not obtained, the Committee shall be able to halt the procedure without going ahead with the reinvestigation. In this case the decision shall be reported immediately to President and President shall notify the respondent of the decision.

30-3 If the investigative Committee starts the reinvestigation, the Committee shall, within 50 days, decide whether to overturn the earlier investigation and shall immediately report this decision to President,

30-4 President shall report this result to the Board of Trustees and notify this result to the

respondent, to the organization with which the respondent is affiliated, and to the complainant. In addition, if the case involves “Specific Research Misconduct,” President shall report this to the research funding organization, etc. involved in the matter and to MEXT.

(Announcement of investigation results)

Article 31 When it is determined that specific research misconduct has occurred, President shall promptly make public the results of the investigation.

31-2 Items to be made public are to include name of those involved in the misconduct and his/her affiliation, content of the misconduct, content of arrangements IUJ have made before making the case public, name of the Committee members and their affiliations, investigation methods and procedures.

31-3 Whereas in the previous article, name of those involved in the misconduct and his/her affiliation may be excluded if research paper(s) connected with the misconduct had been withdrawn before a formal allegation was brought

31-4 When it is determined that specific research misconduct has not occurred, President shall not as a general rule make the results of the investigation public. If, however, it is deemed necessary for restoration of respondent’s honor, or if the case under investigation has been leaked, or if unintentional errors in any research paper(s) or other forms of publication have been uncovered, the results of the investigation shall be made public.

31-5. Items to be made public for article 31-4 are to include no specific research misconduct occurred, unintentional errors uncovered (if any), name and affiliation of the respondent, name of the Committee members and their affiliations, investigation methods and procedures.

31-6. If it is determined that the allegation was lodged out of malice, the results of the investigation shall be made public. Items to be made public include name of complainant and his/her affiliation, reasons for determination, name of the Committee members and their affiliations, investigation methods and procedures.

Chapter 7 Sanctions taken against the complainant and the respondent

(Temporary arrangements during formal investigation)

Article 32 President may make temporary arrangements including suspension of the use of research money by the respondent from the decision date of conducting investigation until receiving the report on investigation results by the Committee.

32-2 When ordered by funding institutions etc. to suspend the use of research money by the respondent, President shall make arrangements according to the order.

(Termination of use of research fund)

Article 33. If specific research misconduct is determined to have occurred, President shall immediately order termination of use of research fund to the persons determined to be responsible for the misconduct (Hereinafter, “persons determined to be responsible for the misconduct” refers collectively to persons determined to have committed the misconduct, as well as persons whose commitment to the specific research misconduct was not determined but who were found to bear prime responsibility as co-authors of any research paper(s) or other forms of publication connected with the misconduct.).

(Recommendations including withdrawal of papers)

Article 34 President shall make recommendations for the persons determined to be responsible for the misconduct to withdraw (or to correct or to do other appropriate actions) any research paper(s) or other forms of publication connected with the misconduct.

34-2 The persons determined to be responsible for the misconduct must indicate their intention whether or not they follow President within 14 days upon receipt of the recommendation.

34-3 President shall publicize the fact if the persons determined to be responsible for the misconduct do not comply with the recommendations set forth in Article 34,

(Removal of arrangements)

Article 35 When it is determined that specific research misconduct has not occurred, President shall remove temporary arrangements including suspension of the use of research money. President shall remove arrangements taken for preserve evidence immediately after the appeal filing period is over or after the evaluation results are determined for an appeal.

35-2 President shall take suitable measures to restore the honor of the respondent and to avoid any disadvantage for him/her when it is determined that specific research misconduct has not occurred.

(Sanctions)

Article 36. When it is determined that specific research misconduct has occurred, President shall take necessary steps for sanctions, given to the persons determined to be responsible for the misconduct, to be decided at the Board of Trustees meeting in accordance with relevant laws and regulations such as IUJ Working Regulations.

36-2 If the case involves “Specific Research Misconduct,” President shall report this to the research funding organization, etc. involved in the matter and to MEXT.

(Corrective actions)

Article 37 When it is determined that the research misconduct has occurred, President shall immediately give an order of corrective actions (such as preventive measure for recurrence) to the department director(s) concerned. President shall take such measures on an IUJ-wide

basis if necessary.

37-2 President shall report these actions to the research funding organization, etc. involved in the matter and to MEXT.

(Organization Chart)

Article 38 Organization Chart for these regulations shall be given in the appendix.

(Secretariat)

Article 39 The Office of Academic Affairs (OAA) shall be the secretariat for these regulations, and the Office of General Affairs (OGA) shall help OAA.

Additional Regulations

1. These regulations shall be effective from March 29, 2017.
2. Because of the establishment of these regulations, “IUJ Regulations for Whistle Blowing Procedures regarding Misconduct in Research” (enacted March 30, 2015) was abolished. (These regulations have been established according to the model regulations drafted by Science Council of Japan based on “Guidelines for Responding to Misconduct in Research” (by MEXT, 2014).)

Additional Regulations

These regulations shall be effective from December 1, 2022. (Addition of Organization Chart)

Appendix

IUJ Regulations for Preventing and Responding to Misconduct in Research

