

○Hiroshima University Student Disciplinary Regulations

(March 7, 2016 Regulation No. 20)

Hiroshima University Student Disciplinary Regulations

Purpose:

Article 1. These Regulations prescribe matters necessary in relation to disciplining students, based on stipulations in Article 40, Paragraph 3 of the Hiroshima University General Provisions (April 1, 2004 Regulation No. 2), including mutatis mutandis application of Article 41 of Hiroshima University Graduate School Regulations (January 15, 2008 Regulation No. 2).

Types of Discipline:

Article 2. The contents of discipline shall be prescribed in each of the following items, in accordance with the type of discipline indicated in said item.

[1] Reprimand: Student is given a written warning and cautioned about future conduct.

[2] Suspension: Student is suspended from the University for a specified or unspecified length of time.

a. Fixed-term Suspension: Suspension for a definite period of time no longer than 3 months.

b. Indefinite Suspension: Suspension for an indefinite period of time of at least 3 months. The duration of the suspension will be determined taking into consideration circumstances such as the effectiveness of guidance on the student.

[3] Expulsion: Student loses his/her status as a student.

Determining Necessity of Discipline:

Article 3. Determination of whether conduct has been engaged in that warrants discipline and what disciplinary action is necessary shall be based on comprehensively taking into account factors such as the maliciousness of the student's conduct which caused the incident or accident, and the severity of the results of said conduct.

(2) Determination of the maliciousness of the conduct which caused the incident or accident shall be based on factors such as the student's subjective attitude, the nature of the conduct, his/her motivation leading up to said conduct, and his/her response following the incident or accident. If the student has been disciplined before, and/or the incident or accident was caused by a student who has received guidance by the dean of a School stipulated in the following article, the level of maliciousness shall be deemed higher.

(3) Determination of the severity of the results of the conduct shall be determined based on factors such as whether or not it has caused personal injury, which includes mental anguish, and the severity of that injury or anguish, whether it has caused property damage, and the severity of that damage, and the impact of said conduct to society.

Guidance by Dean of a School:

Article 4. If an incident or accident caused by a student is not serious enough to warrant discipline, the dean of a school or graduate school (hereinafter "School") can provide guidance to the student (hereinafter "Guidance of Dean") such as a strong warning.

Disciplinary Action Guidelines:

Article 5. Guidelines for determining the type disciplinary action provided in the Appended Table below.

Reporting an Incident or Accident:

Article 6. If an incident or accident caused by a student occurs (excluding harassment/bullying and academic misconduct in an exam), the dean of the School the student belongs to must immediately notify the president of the University (hereinafter "President"), conduct an investigation of the facts, and report the results of the investigation to the President.

Investigation of Facts:

Article 7. When investigating and establishing the facts regarding the incident or accident and related circumstances, the dean of the School must, as a rule, interview the student.

- (2) If it has been deemed that an interview is necessary but the student cannot be interviewed due to being detained for violating criminal law, the dean of the School can withhold reporting the results of the investigation referred to in the preceding article until it is possible to conduct an interview.
- (3) If the evidence to establish the facts is hearsay and the student objects, said facts can be established as true only if there are special circumstances, such as the other person's statement is more trustworthy than the student's statement.

Student Disciplinary Committee:

Article 8. When it has been determined that discipline should be considered for an incident or accident reported in accordance with the stipulations set forth in Article 6 (or in the case of harassment/bullying, when a harassment/bullying case has been brought before the Educational Research Council (hereinafter "Council") for deliberation in accordance with the Hiroshima University Regulations on the Prevention of Harassment (April 1, 2004 Regulation No. 111) and the Council has determined that disciplinary action of the student is warranted), a Student Disciplinary Committee (hereinafter "Committee") shall be established.

- (2) The Committee shall be composed of the vice president of the University (~~in charge of student support~~), the dean of the School the student belongs to, and a few other members from other Schools, and can add members that the President deems to be necessary in accordance with the content of the incident or accident.
- (3) The Committee shall review whether the student should be disciplined and the type and details of the disciplinary action in accordance with the report referred to in Article 6 (including the report of the results of an additional investigation, in the case an additional investigation has been conducted in accordance with the stipulations set forth in the following paragraph). In this case the Committee shall give said student the opportunity to state his/her opinion orally or in writing.
- (4) The Committee can, if deemed necessary, request the dean of the School to explain the investigation of facts conducted by the School and/or the results of said investigation, and/or to conduct an additional investigation.
- (5) The Committee shall report in writing the results of its review to the President.

Notification of Review Results:

Article 9. When the President has received the report referred to in Paragraph 5 of the preceding article, s/he shall notify the dean of the School the student belongs to about the results of the Committee's review.

Deliberation by School:

Article 10. When the dean of the School receives the notification referred to in the preceding article, s/he shall submit it to the Faculty Meeting to deliberate on the discipline for the student. In this case, the Faculty Meeting shall give their opinion on the discipline of said student.

Consulting the Council:

Article 11. If the results of Committee's review and/or the opinion of the Faculty Meeting of the School proposes that a student be disciplined, the President shall consult with the Council about discipline for the student. In this case, the Council shall give said student the opportunity to state his/her opinion orally or in writing.

Deciding on Discipline:

Article 12. The President shall decide on whether to discipline the student, taking into consideration the deliberations of the Council.

Treatment of Academic Misconduct on Exams:

Article 13. If the dean of the School discovers that a student has engaged in academic misconduct on an exam, s/he shall notify the president and submit it to the Faculty Meeting to deliberate on the discipline for the student. In this case, the Faculty Meeting shall give their opinion about the discipline for said student.

(2) If the opinion of the Faculty Meeting specified in the preceding paragraph proposes discipline for the student, the President shall consult with the Council about the discipline for the student. In this case, the Council shall give said student the opportunity to state his/her opinion orally or in writing.

(3) The President shall decide on whether to discipline the student, taking into consideration the deliberations of the Council.

Procedures for Discipline:

Article 14. Students must be given notification of disciplinary action orally or by being issued a Disciplinary Action Notice (Appended Form 1).

(2) When sending the Disciplinary Action Notice, if the whereabouts of the student who is to be issued said notice cannot be identified, procedures for public notice will be carried out in accordance with the Civil Code of Japan (Act No. 89 of April 27, 1896) at the summary court which has jurisdiction over the area where said student's most recent domicile was, and the Disciplinary Action Notice shall be deemed to have been sent when two weeks have passed from the day the public notice was first given.

Effective Date of Disciplinary Action

Article 15. A disciplinary action shall take effect when the student is notified orally or by being issued a Disciplinary Action Notice.

Article 16. The period of suspension shall be calculated in accordance with the calendar, starting from the date the disciplinary action takes effect.

Lifting of Indefinite Suspension:

Article 17. An indefinite suspension shall be lifted by the President upon consultation with the Council after a request has been made by the dean of the School the student belongs to.

Guidance of Suspended Students:

Article 18. Guidance to suspended students shall be given by the School the student belongs to.

Final Examinations and Course Registration for Suspended Students:

Article 19 Taking final examinations and registering for courses while suspended shall be handled in accordance with each of the following items:

[1] The suspended student will be allowed to take the final examination of the term or semester when the suspension began. However, this shall not apply when the student has not met the requirements to take the exam.

[2] The suspended student shall be allowed to register for all courses while s/he is suspended.

Discipline Notice:

Article 20. When a student has been disciplined, the President shall, as a rule, have a Discipline Notice (Appended Form 2) posted on campus which will provide an overview of the case, the type of discipline, and the date of disciplinary action was imposed.

Prohibition of Indicating on Documentation:

Article 21. Disciplinary actions, guidance by the dean of the School, and details of said actions and guidance shall not be recorded on any academic transcripts or other documents created by this University.

(2) Disciplinary actions, guidance by the dean of the School, and details of said actions and guidance shall not be indicated on letters of reference or any other documents created by a teaching advisor or other staff member of this University used when the student is seeking employment or continuing his/her education at another educational institution.

Confidentiality Requirement

Article 22. Staff involved with matters related to the discipline of a student shall not divulge any information acquired concerning the discipline of the student without a valid reason.

Miscellaneous Provisions:

Article 23. Any matters necessary for the enforcement of these Regulations not specified in these Regulations shall be decided on separately.

Supplementary Provisions:

This regulation shall come into effect from April 1, 2016.

2. The Hiroshima University Student Discipline Guidelines (approved by the President on April 1, 2004) and the Agreement on the Application of the Hiroshima University Student Discipline Guidelines (approved by the President on September 21, 2010) shall be abolished.
3. The provisions then in force regarding the application of discipline of a student for an incident or accident that occurred before this regulation came into effect shall remain applicable.

Supplementary Provisions (March 14, 2018 Regulation No. 16):

This regulation shall come into effect from April 1, 2018.

Supplementary Provisions (May 1, 2019 Regulation No. 100):

This regulation shall come into effect from May 1, 2019.

Appended Table (related to Article 5)

Disciplinary Action Guidelines

| Type | Incident or Accident | Disciplinary Action |
|-------------------|--|--------------------------------------|
| Criminal acts | Heinous criminal acts such as homicide, robbery, forcible intercourse, kidnapping, and arson | Expulsion |
| | Violence, injury, shoplifting and other forms of theft, misappropriation, blackmail, and fraud | Expulsion, suspension or reprimand |
| | Crimes related to narcotics such as marijuana and stimulants (cultivation, selling, buying, and illegal possession and use) | Expulsion or suspension (indefinite) |
| | Gambling | Suspension or reprimand |
| | Sexual harassment (e.g. molestation, voyeurism, and camera voyeurism), obscenity (e.g. public indecency or distribution of obscene materials), sexual assault (e.g. indecent assault) or stalking. | Expulsion, suspension or reprimand |
| | Criminal acts from the improper use of computers or networks | Expulsion or suspension |
| Traffic accidents | If driving while intoxicated or driving recklessly results in the loss of life or a causes an accident that inflicts bodily injury resulting in serious residual disability | Expulsion |
| | If driving while intoxicated or driving recklessly causes an accident resulting in bodily injury (excluding accident that inflicts bodily injury resulting in serious residual disability) | Expulsion or suspension (indefinite) |
| | Malicious violation of traffic regulations, such as driving without a license, which results in the loss of life or causes an accident resulting in bodily injury | Expulsion or suspension (indefinite) |
| | Driving while intoxicated, driving recklessly, or driving without a license | Suspension |

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| Academic misconduct on exams | Malicious misconduct such as proxy test-taking | Expulsion or suspension |
| | Misconduct such as cheating | Suspension or reprimand |
| | If student does not abide by the warnings or directions of the supervisor | Reprimand |
| Academic misconduct in research activities | Fabrication, falsification, or plagiarizing in research activities | Expulsion or suspension |
| | Misappropriation of research expenses | Suspension or reprimand |
| Harassment/bullying | Sexual harassment, academic and workplace bullying, and emotional abuse | Expulsion, suspension or reprimand |
| Illegal acts | Acts that cause intentional loss of the intellectual property of the University | Expulsion or suspension |
| | Illegally entering, illicitly using, occupying, damaging, or causing accidental fire in (only in the case that the results are severe) a building managed by the University | Expulsion, suspension or reprimand |
| | Committing violence to, intimidating, restraining, or confining a staff member of the University | Expulsion, suspension or reprimand |
| | Violent acts that severely hinder education and research at, or the management and operation of, this University | Expulsion, suspension or reprimand |
| | Damaging, vandalizing, or causing accidental fire to (only in the case that the results are severe) equipment managed by this University | Suspension or reprimand |
| | If the student coerces another to drink alcohol, which results in serious consequences such as death | Expulsion or suspension |
| | If the student coerces another to drink alcohol, which results in harm such as acute alcohol poisoning | Suspension or reprimand |
| | Coercing or encouraging a minor to drink alcohol or smoke | Suspension or reprimand |
| | Improper handling, such as leaking or loss, of personal information gained in class, practice, or training | Suspension or reprimand |
| | Inciting someone to cause an incident or accident or aiding someone in an incident or accident | Expulsion, suspension or reprimand |
| Other conduct that leads the University to lose trust in the student | Expulsion, suspension or reprimand | |

Appended Form 1 (related to Article 14, Paragraph 1)

Disciplinary Action Notice

Appended Form 2 (related to Article 20)

Disciplinary Warning