

Regulations on the Promotion of Research Integrity at Saga University

(enacted February 27, 2015)

Table of Contents

- Chapter 1 General Provisions (Article 1–Article 3)
- Chapter 2 Promotion System (Article 4–Article 8)
- Chapter 3 Reporting, Etc. (Article 9–Article 12)
- Chapter 4 Investigations (Article 13–Article 15)
- Chapter 5 Verification (Article 16–Article 21)
- Chapter 6 Measures (Article 22)
- Chapter 7 Responsibilities (Article 23–Article 25)
- Chapter 8 Miscellaneous Provisions (Article 26–Article 27)

Supplementary Provisions

Chapter 1 General Provisions

(Purpose)

Article 1 These Regulations stipulate the matters necessary to promote research integrity at Saga University (hereafter, “the Corporation”). The purpose of these Regulations is to enable the Corporation to meet the trust placed in it by society as well as fulfill its social responsibilities as a corporation by aiming to improve its research ethics and prevent misconduct.

(Definitions)

Article 2 In these regulations, the meanings of the terms shall be as specified in the following items.

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| (1) Research activities | Acts in the process of planning and implementing the research plan, announcing and evaluating the research results, and also acts incidental to these acts |
| (2) Researchers | All persons conducting research activities in the Corporation, including faculty members, students, and others |
| (3) Faculty members | Persons employed based on the rules of employment stipulated by the Corporation |
| (4) Misconduct | Acts corresponding to any of the following in research activities, provided, however, that they shall not include innocent errors, differences of opinion, or the handling of data or experimental records by general practices in the relevant research field. |

(Researchers' responsibilities)

Article 3 Researchers must have pride, maintain high ethical standards, and demonstrate the required standards of conduct in their research activities in accordance with the following items.

- (1) They shall not be responsible for misconduct.
- (2) They shall not be complicit in misconduct.
- (3) They shall not cause the people around them to perform misconduct.

2 Researchers must comply faithfully with instructions or investigations based on these regulations.

3 Researchers must complete the education necessary in order for them to learn the ethical standards required of researchers (hereafter, "research ethics education"), and researchers in guidance or leadership positions must provide students and young researchers with research ethics education and other education.

4 Researchers must prove the validity of their research activities, and also, in order to ensure it can be verified by third parties, they must appropriately store and manage over a specified time period their experiment and observations notebooks, experimental data, and other research materials.

Chapter 2 Promotion System

(The highest ranking person)

Article 4 The University President, as the highest ranking person, shall implement appropriate measures in the Corporation's management and administration to promote research integrity.

(The University Vice President)

Article 5 The director responsible for research, as the person with the substantial authority and responsibility to oversee the Corporation as a whole, shall assist the University President and implement appropriate measures to promote research integrity in order to improve research ethics and prevent misconduct.

(The person responsible for the faculty or agency)

Article 6 The head of the faculty or agency, as the person responsible for improving research ethics and preventing misconduct in the relevant faculty or agency, shall take appropriate measures to promote research integrity.

(The person responsible for research ethics education)

Article 7 The head of the faculty or agency, as the person responsible for research ethics education in the relevant faculty or agency, shall regularly provide education for those persons engaged

in a wide range of research activities on the basic responsibilities of researchers; on the researchers' code of conduct, such as their attitudes toward research activities; and also on the knowledge and techniques of the etiquette that they should observe in their research activities in order to conduct appropriate research activities.

(Research Integrity Committee)

Article 8 The Research Integrity Committee shall be established in the Corporation in order to respond to misconduct and promote research integrity.

2 The Research Integrity Committee shall investigate and discuss the following matters.

(1) Matters relating to the development and summary of the Basic Policy on the Promotion of Research Integrity

(2) Matters relating to the establishment of the system to promote research integrity

(3) Matters relating to educational and awareness-raising activities to promote research integrity

(4) Matters relating to the verification of measures to promote research integrity

(5) Matters relating to the development and verification of the policy to investigate misconduct

(6) Matters relating to the review of appeals

(7) Other matters relating to the promotion of research integrity

3 The Research Integrity Committee shall comprise the following committee members.

(1) The director responsible for research

(2) The chairperson of the Committee to Promote the Plan to Prevent the Misappropriation of Research Funds

(3) From among faculty members, persons nominated by the University President (5 people)

(4) From among persons outside of the University, persons nominated by the University President (a few people)

(5) The Head of the Secretariat

(6) The Finance Manager

(7) The Academic Research Cooperation Manager

(8) Other persons deemed necessary by the University President

4 Notwithstanding the provisions of the preceding item, when deemed necessary by the University President, he/she may nominate another director in addition to the director responsible for research.

5 The committee members designated by Articles 3.3 and 3.4 shall be appointed or commissioned by the University President.

6 The terms of office of the committee members designated by Articles 3.3 and 3.4 shall be two years, and committee members may be reappointed. However, in the event that a committee member vacates his/her position on the committee, the term of office of his/her successor shall

be the remaining term of office of his/her predecessor.

- 7 A chairperson shall be appointed for the Research Integrity Committee and shall be allocated to the director responsible for research or another director pursuant to Item 4.
- 8 In the event that the Chairperson is in an accident, etc., and is unable to attend and fulfill his/her duties, the committee member nominated in advance by the Chairperson shall carry out the duties of the Chairperson on his/her behalf.
- 9 The Chairperson shall convene meetings of the Research Integrity Committee and serve as the chair.
- 10 The proceedings of the Research Integrity Committee may not commence without the attendance of two thirds of the committee members.
- 11 The proceedings of the Research Integrity Committee shall be resolved by a majority of the committee members in attendance, and in the case of a tie, the matter shall be resolved by the Chairperson.
- 12 When deemed necessary by the Chairperson, he/she may request the attendance of non-committee members in the committee meeting and ask for their explanations or opinions.

Chapter 3 Reporting, Etc.

(The reception desk for reporting, etc.)

- Article 9 The Corporation shall establish a reception desk in order to ensure speedy and appropriate responses to reporting or request for consultation (hereafter, "reporting, etc.").
- 2 The reception desk shall be the desk pursuant to Article 3 of the Saga University Whistleblower Regulations (enacted April 5, 2006).

(Method of receiving reporting, etc.)

- Article 10 Persons who know of or suspect that there has been misconduct may carry out reporting, etc., to the reception desk pursuant to the preceding article, regardless of the number of persons.
- 2 Reporting, etc., may be carried out in writing; by phone, fax, or email; or in person.
- 3 In principle, the reporter must provide his or her name and also the following items.
 - (1) The name of the researcher(s) or group allegedly responsible for the misconduct
 - (2) A description of the form of the misconduct and the details of the relevant matter, etc.
 - (3) A scientific and rational reason as to why it should be deemed misconduct
- 4 Notwithstanding the provisions of the preceding item, in the event that the reporting is carried out anonymously, the reception desk, after discussing the matter with the director responsible for research and provided that there is sufficient reason and evidence to believe the credibility of the relevant reporting, may receive it as reporting. However, in this case, the notification

pursuant to the next item, Item 6, Article 13.5, Article 13.6, Article 14.8, Article 14.10, Article 16.3, and Article 18.3 shall be considered not to have been carried out.

- 5 When the reception desk receives reporting, it must report the details immediately to the director responsible for research and also promptly notify the reporter that the reporting has been received.
- 6 When the reception desk receives a request for consultation, the relevant consultation shall be considered equivalent to reporting. Also, when the consulter indicates his/her intention for the consultation to be considered reporting, it shall be received as reporting, the details must be reported immediately to the director responsible for research, and the reporter must be promptly notified that the reporting has been received.
- 7 When the director responsible for research receives notification of reporting corresponding to the preceding two items, he/she shall immediately notify the University President of the details.
- 8 With regards to reporting that misconduct is about to take place or that misconduct has been demanded, the director responsible for research shall confirm and carefully investigate the details, and when he/she recognizes there to be a legitimate reason, shall warn the person being reported on and also notify the head of the faculty or agency to which the person being reported on belongs.
- 9 When reporting is received by officers of the Corporation or faculty members other than those at the reception desk, they must immediately notify the reception desk or advise the person providing the relevant reporting, etc., to report the matter to the reception desk.

(Handling of matters other than reporting)

- Article 11 If the consulter in Item 6 of the preceding article does not indicate that it is his/her intention to carry out reporting, the director responsible for research, after confirming and carefully investigating the details of the consultation, may launch an investigation into the relevant matter.
- 2 In the event there is suspicion of misconduct that has been learned from a method other than reporting, including from the academic community such as from an academic meeting, from the media, or any other such method, the director responsible for research may treat it in the same manner as when there has been reporting.
 - 3 In the event that information posted on the Internet alleging misconduct is confirmed, the director responsible for research may treat it in the same manner as if reporting had been carried out, provided, however, that this is limited to when the form and examples of the misconduct are clearly described and also there is a scientifically rational reason the relevant act should be deemed misconduct.

(Public announcement of the system for handling reporting, etc.)

Article 12 The director responsible for research shall publically announce the name and location of the reception desk, its contact information, the method of receiving reporting, etc., and any other necessary items on the University's homepage, and also by any other methods that will enable this information to be widely disseminated.

Chapter 4 Investigations

(The preliminary investigation)

Article 13 When the decision is taken to conduct an investigation based on reporting pursuant to Articles 10.5 and 10.6, or pursuant to Article 11, the director responsible for research shall immediately instruct the head of the faculty or agency to which the person being reported on belongs (if the person being reported on belongs to a facility, etc., outside of the Corporation, the head of the faculty or agency that permitted the use of the Corporation's facility or equipment) to conduct an investigation on the rationality of the content of the reporting and the possibility of a full investigation (hereafter, "the preliminary investigation"). However, when deemed particularly necessary by the University President, a director nominated by the University President may carry out the preliminary investigation.

2 When deemed necessary, the head of the faculty or agency may establish a committee, etc., and carry out the preliminary investigation.

3 The head of the faculty or agency shall report the results of the preliminary investigation to the director responsible for research within 30 days of the day the reporting was received.

4 The director responsible for research shall immediately decide whether or not to proceed with the full-fledged investigation (hereafter, "the investigation") based on the results of the preliminary investigation.

5 When the director responsible for research decides to carry out the investigation, he/she shall immediately notify the reporter and the person being reported on, and also the University President, the Ministry of Education, Culture, Sports, Science and Technology (MEXT), and the allocation organization (hereafter, "MEXT, etc.").

6 When it is decided not to carry out the investigation, the director responsible for research shall immediately report the reason for this to the reporter. In this case, materials relating to the preliminary investigation shall be stored and, if requested, disclosed to the allocation organization and to the reporter.

(The Investigation Committee)

Article 14 When it is decided to carry out the investigation pursuant to Item 4 in the preceding article, the director responsible for research must immediately establish the Investigation

Committee under the Research Integrity Committee and start the investigation within 30 days of the day of the decision to carry out the investigation.

2 The Investigation Committee shall be established for each matter that has been reported on and shall be organized from among the following persons.

(1) The director responsible for research

(2) The head of the faculty or agency to which the person being reported on belongs

(3) Teaching staff with specialist knowledge in the research field relating to the matter reported on

(4) Persons from outside of the Corporation with specialist knowledge in the research field relating to the matter reported on

(5) Persons outside of the Corporation with specialist legal knowledge, such as an attorney or patent attorney

(6) The Finance Manager

(7) The Academic Research Cooperation Manager

(8) Other persons deemed necessary by the director responsible for research

3 A majority of the Investigation Committee must be committee members pursuant to Number 4 and Number 5 in the preceding item.

4 Committee members pursuant to Number 3 to Number 5 in Item 2 shall be appointed or commissioned by the University President based on a nomination by the director responsible for research.

5 The terms of office of the members of the Investigation Committee shall be until their duties are completed. In the event that a committee member vacates his/her position on the committee, the term of office of his/her successor shall be the remaining term of office of his/her predecessor.

6 A Chairperson shall be appointed to the Investigation Committee allocated to the director responsible for research.

7 The provisions of Item 8 to Item 12 of Article 8 shall apply mutatis mutandis to the Investigation Committee.

8 When the Investigation Committee is established, the director responsible for research shall promptly notify the names and affiliations of the Investigation Committee members to the reporter and the person being reported on, and also to the University President and to MEXT, etc.

9 The reporter and the person being reported on may lodge an appeal that shall include the reason for the appeal to the director responsible for research within 10 days of the day they received the notification pursuant to the preceding item.

10 Upon receiving an appeal pursuant to the preceding item, the director responsible for research

shall review its contents and if he/she judges the reason to be valid, shall implement the necessary measures relating to the relevant appeal, including replacing committee members, and shall also promptly notify the reporter and the person being reported to this effect.

- 11 The Investigation Committee shall have the authorities necessary to conduct the investigation. The reporter, the person being reported on, and any other related parties must cooperate faithfully with its investigation.
- 12 The Chairperson of the Investigation Committee must report the results of the investigation to the Chairperson of the Research Integrity Committee within 150 days of the day the investigation began.

(The investigation method, etc.)

Article 15 The investigation shall be carried out by carefully investigating each type of material, including papers on research activities related to the matter that was reported on, experiment and observation notes, and raw data, and by conducting hearings with the related parties and requesting that experiments be carried out again. In this case, the person being reported on must be given the opportunity to defend himself/herself in writing or orally.

- 2 In the event that during the investigation the person being reported on attempts to clear himself/herself of the accusation related to the research activities pertaining to the matter reported on, it is his/her own responsibility to explain with scientific evidence how the relevant research activities were carried out by an appropriate scientific method and procedure, and that papers and other written materials were written with appropriate representation.
- 3 When deemed of benefit and necessary for the investigation, in addition to the research activities directly relating to the matter reported on, the director responsible for research may extend the scope of the investigation to include other research activities carried out by the person being reported on that are indirectly related to the investigation.
- 4 The director responsible for research may take measures to conserve materials that are deemed evidence in the investigation.
- 5 Following the decision to conduct the investigation, the University President may implement measures necessary to suspend the use of research costs relating to the matter reported on by the person being reported on during the period until the results of the investigation are received.
- 6 The director responsible for research may entrust the investigation to members of the academic community, such as other institutions or academic societies, or request their cooperation in order to conduct the investigation. In this case, the provisions of Article 13 to Article 20 shall apply mutatis mutandis to the institutions to which the investigation is entrusted or to the institutions cooperating in the investigation.
- 7 The director responsible for research shall submit an interim report on the investigation in

response to a request by MEXT, etc., even before the investigation has been completed.

- 8 If the matter being investigated has been leaked outside the Corporation, the University President may publically announce the matter being investigated upon obtaining the consent of the reporter and the person being reported on, regardless of the fact that the investigation is still ongoing. However, the consent of the reporter or the person being reported on shall not be required if the leak was the responsibility of either of these persons.

Chapter 5 Verification

(Verification)

Article 16 When the Research Integrity Committee receives a report pursuant to Article 14.12, it must promptly verify the following items.

- (1) Whether or not there was misconduct
 - (2) If it was verified that there was misconduct, the details, the persons participating in the misconduct, and the extent of their participation; the roles in writing the relevant theses, etc., of each author, including the thesis, etc., pertaining to the research activities for which the misconduct was verified and in the relevant research activities
 - (3) If it was verified that there was no misconduct, the verification of whether or not the reporting was malicious reporting
- 2 When carrying out the verification provided for by Number 3 in the preceding item, the reporter must be given the opportunity to defend himself/herself in writing or orally.
- 3 When the verification has been completed, the director responsible for research shall promptly notify the results of the verification to the reporter and the person being reported on (including persons verified as having participated in the misconduct other than the person being reported on; same below), and also to the University President, the head of the faculty or agency to which the person being reported on belongs, and MEXT, etc.
- 4 When the reporting is verified as being malicious reporting, the director responsible for research shall also notify the head of the faculty or agency to which the reporter belongs.

(Verification method, etc.)

Article 17 The Research Integrity Committee shall verify whether or not there was misconduct from a comprehensive judgment based on all of the evidence, including the physical and scientific evidence obtained by the investigation, and the testimony and admission of the person being reported on. However, it shall not be possible to verify the conduct as misconduct if the only evidence is the admission of the person being reported on.

2 In the event that evidence of misconduct is submitted and the suspicion of misconduct is not overturned by the explanation of the person being reported on or other evidence, the Research Integrity Committee shall verify that there was misconduct.

3 When insufficient evidence is presented to the Research Integrity Committee in order for it to overturn the allegation of misconduct due to the person being reported not having kept the raw data, experiment and observation notes, experimental samples, reagents, or other such items that are fundamental research elements that normally a researcher would keep, it shall be deemed that there was misconduct.

4 Notwithstanding the provision of the preceding item, this provision shall not apply in the case of any of the following.

(1) When it is deemed that there is a legitimate reason the materials were not kept, such as despite the person being reported on fulfilling the duty of care of a good administrator, due to a reason that was not the responsibility of said person, such as a disaster, he/she was unable to fully present the basic elements pursuant to the preceding item.

(2) The reason the raw data, experiment and observation notes, experimental samples and reagents, etc., were not kept was because the rational storage period in accordance with the characteristics of the relevant research field, or the storage period stipulated by the Corporation, had been exceeded.

(Appeals)

Article 18 The person being reported on who has been verified as having committed misconduct or the reporter who has been verified as having carried out malicious reporting (including persons verified as having carried out malicious reporting from the appeal lodged by the person being reported on; same below) may lodge an appeal in writing to the director responsible for research within 14 days of the day they received the notification pursuant to Article 16.3. However, even within this period, they cannot repeat an appeal using the same reason as a previous appeal.

2 Article 13 When it is decided not to carry out the investigation based on the results of the preliminary investigation, the reporter may appeal this decision in accordance with the provisions of the preceding item.

3 When an appeal is received from the person being reported on who has been verified as having carried out misconduct, the director responsible for research shall notify the reporter, and also the University President, the head of the faculty or agency to which the person being reported on who was verified as having committed misconduct belongs, and MEXT, etc.

4 When an appeal is received from the reporter verified as having committed malicious reporting, the director responsible for research shall notify the person being reported on, and also the

University President, the head of the faculty or agency to which the reporter verified as having committed malicious reporting belongs, and MEXT, etc.

(Review of an appeal and a re-investigation)

Article 19 When an appeal is received in accordance with Item 1 in the preceding article, the director responsible for research shall instruct the Research Integrity Committee to review said appeal.

2 When the University President deems it necessary, as the judgment on the appeal newly requires a person with a specialism, he/she may replace or add a member of the Research Integrity Committee, or have another person carry out the review instead of the Research Integrity Committee.

3 The Research Integrity Committee shall promptly determine whether or not the relevant matter needs to be re-investigated in consideration of the main purport and reasons of the appeal.

4 In the case of the preceding item, when it is judged that the main objective of the relevant appeal is to drag out the matter or to postpone the measures associated with the verification, the director responsible for research may refuse to accept any subsequent appeals.

5 When the Research Integrity Committee decides to carry out a re-investigation, the director responsible for research shall immediately notify the person being reported on who was verified as having committed misconduct or the reporter who was verified as having carried out malicious reporting (hereafter, “the person subject to verification”), and shall also notify the University President, the head of the faculty or agency to which the person subject to verification belongs, and MEXT, etc.

6 When the Research Integrity Committee decides to carry out a re-investigation, the director responsible for research shall request from the person subject to verification the cooperation that is necessary for the speedy resolution of the relevant matter, such as them submitting materials that would overturn the results of the verification pursuant to each of the numbers of Article 16.1 and any other matters. If the person subject to verification does not cooperate as requested, the director responsible for research may decide to not carry out the re-investigation and to terminate the review.

7 When carrying out the re-investigation, the provisions of Article 14 and Article 15 shall apply *mutatis mutandis*.

8 When it is decided to not carry out the re-investigation and to terminate the review, the director responsible for research shall immediately notify the person subject to verification, and also the University President, the head of the faculty or agency to which the person subject to verification belongs, and MEXT, etc., of the reason for this decision.

(Re-verification)

Article 20 The Research Integrity Committee shall decide whether or not to overturn the result of the verification pursuant to each of the numbers of Article 16.1 within 50 days of the day of receiving the appeal from the person being reported on who was verified as having committed misconduct, and the director responsible for research shall notify the person being reported on and verified as having committed misconduct, and also the University President, the head of the faculty or agency to which the person being reported on belongs, and MEXT, etc.

2 The Research Integrity Committee shall decide whether or not to overturn the results of the verification within 30 days of the day of receiving the appeal from the reporter verified as having committed malicious reporting pursuant to each of the numbers of Article 16.1, and the director responsible for research shall notify the reporter verified as having committed malicious reporting, and also the University President, the head of the faculty or agency to which the reporter verified as having committed malicious reporting belongs, and MEXT, etc.

3 The person subject to verification cannot lodge an appeal against a decision from the preceding two items.

(Public announcement of the verification results)

Article 21 When the misconduct is verified from the verification pursuant to each of the numbers of Article 16.1 (in the event of an appeal pursuant to Article 18.1, from the re-verification pursuant to Item 1 in the preceding article), in principle, the University President shall promptly disclose the results of the verification, except when there is a rational reason not to do so, such as to protect personal information or intellectual property. In this case, when the person subject to verification has an opinion on the matter to be publically announced, that opinion shall be included in the announcement.

2 When it is verified that there was no misconduct from the verification pursuant to each of the numbers of Article 16.1 (in the case of an appeal pursuant to Article 18.1, from the re-verification pursuant to Item 1 in the preceding article), in principle, the University President shall not publish the results of the verification. However, in the event that the matter to be verified was leaked to outside of the Corporation; or that there was a non-deliberate error in a thesis, etc.; or that the reporting was verified as malicious reporting pursuant to Item 2 of the preceding article, the results of the verification shall be publically announced.

Chapter 6 Measures

(Measures)

Article 22 When the misconduct or malicious reporting has been verified in the verification pursuant to each of the numbers of Article 16.1 (or in the event of an appeal pursuant to Article

18.1, from the re-verification pursuant to Article 20.1 or Article 20.2), the University President shall immediately take appropriate measures against the person subject to verification based on the Corporation's regulations and in accordance with the degree of seriousness of the relevant misconduct.

- 2 When it was verified that there was no misconduct in the verification pursuant to each of the numbers of Article 16.1 (in the event of an appeal pursuant to Article 18.1, from the re-verification pursuant to Article 20.1), the University President shall take appropriate measures to normalize the education and research activities of the person being reported on and to restore his/her reputation.

Chapter 7 Responsibilities

(Prohibition of discriminatory treatment)

Article 23 The University President must not treat discriminatorily the person being reported on in some or all of his/her research activities, such as dismissing him/her, demoting him/her, or reducing his/her pay; or carry out any other discriminatory treatment based only on the fact he/she has been reported on and without any other appropriate reason.

- 2 Unless it was verified that the reporting was malicious reporting, the University President must not dismiss, demote, reduce the pay, or carry out any other discriminatory treatment against the reporter only based on the fact that he/she carried out the reporting.

(Obligation of confidentiality)

Article 24 In the event that the reception desk receives reporting, etc., appropriate measures must be taken to ensure confidentiality is maintained.

- 2 The persons involved in the matter reported on shall take into consideration the reputations and privacy of the related parties, as well as take care not to violate their human rights, and must not leak any confidential information acquired in the course of carrying out their duties. The same shall apply even after they have left their relevant work positions.
- 3 The persons related to the investigation must give full consideration to ensuring that information that should be treated as confidential, including unpublished data that is the target of the investigation, theses, and other research or technology-related information, shall not leak outside of the scope of persons required to carry out the investigation.

(Removal of parties with conflicts of interest)

Article 25 Members of the reception desk and other parties related to the investigation must not be involved in the investigation if they have a self-interest in the relevant matter.

Chapter 8 Miscellaneous Provisions

(Office work)

Article 26 Office work related to these regulations shall be carried out by the Research Cooperation Section of the Academic Research Cooperation Division, with the cooperation of the relevant faculty or agency.

(Other items)

Article 27 In addition to as provided for by these Regulations, the other matters necessary for the implementation of these Regulations shall be provided for by the “Guidelines on Responding to Misconduct in Research Activities (decision of the Minister of Education, August 26, 2014)” and also as separately provided for by the University President.

Supplementary Provisions

These regulations were enforced on April 1, 2015.