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Nara Institute of Science and Technology Student Discipline Regulations

December 15, 2009
Regulations No. 5

Article 1 (Purpose)

These regulations stipulate the necessary matters concerning the discipline and educational measures under Article 70 Clause 2 of the Nara Institute of Science and Technology Regulations (Regulations No. 1, 2004).

Article 2 (Scope of application)

1. These provisions shall apply to students, non-degree students, and research students (hereinafter simply referred to as the "Students") who are enrolled at Nara Institute of Science and Technology (hereinafter referred to as "NAIST").
2. For those who are research assistants under Article 1 Clause 2 Item 8 of the Nara Institute of Science and Technology Employment Regulations for Education and Research Fixed-term Contract Employees (Regulations No. 1, 2005) or teaching assistants under Article 1 Clause 2 Item 9 of those provisions, in addition to these regulations, the stipulations of Article 34 through Article 36 of said regulations shall also apply in accordance with the type of illegal action.

Article 3 (Illegal actions subject to discipline)

The illegal actions subject to discipline or educational measures (hereinafter referred to as "Discipline") for the Students shall be as stated below.

- (1) Actions that violate NAIST's rules and/or regulations
- (2) Actions that obstruct NAIST's education or research activities

Article 4 (Types of discipline)

The content of discipline shall be according to the stipulations of the relevant item below, in accordance with the type of discipline stated in the item.

- (1) Expulsion: The student shall be expelled, and re-admission shall not be allowed.
- (2) Suspension: The student shall not be allowed to come to NAIST for a fixed period of six months or an indefinite period.
- (3) Admonishment: The person shall be given a written warning and cautioned about future actions.

Article 5 (Determination of Discipline)

1. When determining whether and what type of Discipline is necessary, comprehensive consideration shall be given to the matters stated below and then a decision shall be made.
 - (1) The motive, attitude toward, and result of the illegal action
 - (2) The deliberate intention or degree of negligence
 - (3) The degree of damage, including the mental suffering of people affected
 - (4) The effects on other Students and society
 - (5) Whether the student has committed illegal actions in the past
 - (6) The student's attitude toward their studies, and his-her response after the illegal action
2. Determination of the type of discipline shall be according to the Examples of Disciplinary Action Standards (appendix). Provided, however, that depending on the content of the individual case, there may also be cases that do not follow the Examples of Disciplinary Action Standards.
3. For illegal actions not listed in the Examples of Disciplinary Action Standards, it shall be possible to use the Examples of Disciplinary Action Standards for reference and then determine the discipline.

Article 6 (Reporting incidents)

In the event that an illegal action that may be subject to Discipline has occurred, the Dean of the graduate school to which the Student who conducted that illegal action belongs (hereinafter referred to as the "Dean of the Relevant Graduate School") shall promptly ascertain the facts, take the necessary measures such as restoring matters to their original state, and make a report to the President.

Article 7 (Authorizing investigation and deliberation)

In the event that the President receives a report stipulated under Article 6 and recognizes that there was an illegal action that may be subject to discipline, he/she shall order the Executive Director in charge of education to investigate the facts and deliberate whether discipline is necessary and the type of discipline (hereinafter referred to as the "Investigation and Deliberation").

Article 8 (Suspension)

1. In the event that the action by the Student who will be subject to the Investigation and Deliberation by the student discipline committee stipulated in Article 9 (hereinafter referred to as the "Student Subject to Investigation") is clearly an illegal action that is subject to discipline, and it is certain that punishment of expulsion or suspension shall be issued, the President may order tentative suspension from NAIST before a decision is made under the provisions of Article 17.
2. A Student who has been ordered suspended from NAIST under the previous clause shall not be allowed to come to the Institute.
3. Said period of suspension from NAIST shall be included in the official suspension period.

Article 9 (Student discipline committee)

In order to conduct the Investigation and Deliberation stated in Article 7, the Executive Director in charge of education shall establish a student discipline committee (hereinafter referred to as the "Committee").

Article 10 (Committee organization)

1. The Committee shall be comprised of the persons listed below.
 - (1) The Executive Director in charge of education
 - (2) The Director General
 - (3) The Dean or Vice Dean of each graduate school
 - (4) The Director of the Planning and Academic Affairs department
 - (5) Other persons the Executive Director in charge of education recognizes as necessary
2. The Committee shall have a chairperson, and the Executive Director in charge of education shall fill this position.
3. The Committee may not conduct proceedings unless at least two-thirds of the members are in attendance.

Article 11 (Non-member attendance)

The Committee may request attendance of persons it recognizes as necessary and ask their opinions.

Article 12 (Explanations)

When conducting an investigation of the facts, the Student Subject to Investigation shall be notified of the fact that an investigation will be conducted and shall be given the opportunity to offer an oral or written explanation. In such cases, in the event that, without a valid reason, that Student does not appear to offer an oral explanation or does not submit a written explanation, it shall be deemed that he or she has waived the right to offer an explanation.

Article 13 (Investigation and report of deliberation results)

The Executive Director in charge of education shall report the Committee's Investigation and Deliberation results to the President.

Article 14 (Dean notification)

The President shall report the results of the Investigation and Deliberation that were reported by the Executive Director in charge of education to the Dean of the Relevant Graduate School.

Article 15 (Relation to other agreements)

Notwithstanding the stipulations of Article 6 through Article 13, in the event that NAIST's other rules and regulations have stipulations concerning illegal action investigations, matters for these investigations of the respective illegal action shall be according to those stipulations.

Article 16 (Faculty Council deliberation)

1. The Dean of the Relevant Graduate School shall deliberate the results of the Committee's Investigation and Deliberation within the faculty council.
2. The Dean of the Relevant Graduate School shall report the Faculty Council's deliberation results to the President.

Article 17 (Decision of disciplinary action)

1. The President shall make the decision on whether and what type of discipline is necessary considering the report stated in the previous article by the Dean of the Relevant Graduate School.
2. When making the decision of the previous clause, in the event that the President recognizes it is necessary, he or she may order another Investigation and Deliberation. In such cases, the stipulations of Article 7 through Article 16 shall apply correspondingly.

Article 18 (Notification of disciplinary action)

1. In the event that a decision has been made to conduct disciplinary action under the provisions of Article 17, the President shall notify the Student Subject to Investigation, the Executive Director in charge of education, and the Dean of the Relevant Graduate School of the type of discipline and the reason for punishment.
2. Notification to the Student Subject to Investigation shall be made by issuing the relevant Student a notification of disciplinary action (appendix form no. 1). Provided, however, that when issuance is not possible, notification shall be made by another appropriate method.

Article 19 (Disciplinary action effectiveness)

Disciplinary action shall come into effect on the date the notification of disciplinary action is issued. Provided, however, that in unavoidable cases this shall not apply.

Article 20 (Cancellation of indefinite suspension)

1. In the event that it has been recognized that, for a Student on indefinite suspension, it is appropriate to cancel suspension after six months have passed since the date it went into effect, the Dean of the Relevant Graduate School shall have the matter deliberated by the Faculty Council and then report the results to the President and the Executive Director in charge of education.
2. The Executive Director in charge of education shall inform the President of his or her opinion concerning the appropriateness of cancelling suspension. In such cases, the Executive Director in charge of education shall consult the Committee.
3. The President may, in light of the report from the Dean of the Relevant Graduate School and the opinion from the Executive Director in charge of education, cancel the suspension.

Article 21 (Rescreening)

1. In the event that there is factual error, discovery of new facts, or other valid reasons, a Student who received disciplinary action may attach materials that will serve as proof and use the request for rescreening form (appendix form no. 2) to make a request to the President for rescreening.
2. In the event it is recognized that rescreening is necessary, the President may order another Investigation and Deliberation of the facts. In such cases, the provisions of Article 7 through 17 shall apply correspondingly.

Article 22 (Change of enrollment)

1. In the event that a Student Subject to Investigation has made a request to withdraw or take a leave of absence before a decision under the provisions of Article 17, it shall not be permitted.
2. In the event that a Student who is under suspension has made a request to take a leave of absence, it shall not be permitted.
3. In the event that a Student who is on a leave of absence will be disciplined with a suspension, the permission for that Student's leave of absence shall be rescinded.

Article 23 (Educational measures)

1. In the event that the President receives a report described in Article 6 and recognizes it is in response to an illegal action not suitable for discipline, or in the event that he or she decides not to conduct disciplinary action under the provisions of Article 17, when it is recognized as necessary he or she shall order the Dean of the Relevant Graduate School to take educational measures.
2. In the event that an order stipulated in the previous clause, the Dean of the Relevant Graduate School shall give the Student who conducted the relevant illegal action a written or oral warning as an educational measure.
3. The educational measure stipulated in the previous clause shall correspond to the types of educational measures listed in each of the items below, and shall follow the stipulations of the relevant item.
 - (1) Strong warning: A strong warning about the illegal action will be made in writing.
 - (2) Oral warning: A warning about the illegal action will be made orally.

Article 24 (Record of disciplinary action)

In the event that a disciplinary action has been decided under the provisions of Article 17 for a Student (excluding cases in which, as a result of rescreening under the provisions of Article 21, a decision was made that disciplinary action shall not be conducted), the content of the disciplinary action shall be recorded in the guidance record stipulated in Article 24 of the Regulations for Enforcing the School Education Act (Ministry of Education, Science, Sports and Culture Order No. 11, 1947). Provided, however, that the content of disciplinary action that was recorded in the guidance record shall not be included in certificates issued by NAIST.

Article 25 (Administrative duties)

Administrative duties related to discipline, etc. for the Students shall be the responsibility of the Educational Affairs Division of the Planning and Academic Affairs Division.

Supplementary provision

These Regulations shall come into effect on December 15, 2009.

Supplementary provision

These Regulations shall come into effect on December 1, 2013.

Supplementary provision

These Regulations shall come into effect on April 1, 2015.

Appendix (related to Article 5)

Examples of disciplinary action standards

Classification	Type of illegal action	Discipline standards
Criminal actions, etc.	Heinous criminal acts or attempted criminal acts such as murder, theft, rape, or arson	Expulsion
	Action that inflicts injury	Expulsion or suspension
	Drug-related criminal acts	Expulsion or suspension
	Criminal acts such as theft, shoplifting, fraud, or violent acts that do not injure other persons	Expulsion, suspension, or admonishment
	Groping or molestation acts (including voyeurism, surreptitious photography or videos, or other actions that are a nuisance to others)	Expulsion, suspension, or admonishment
	Stalking acts	Expulsion, suspension, or admonishment
	Malicious unauthorized use of a computer or network	Expulsion or suspension
	Unauthorized use of a computer or network	Suspension or admonishment
Traffic accidents	Causing a traffic accident involving death or bodily injury leaving serious permanent damage, and caused by malicious actions such as driving without a license, driving under the influence of alcohol, or reckless driving	Expulsion
	Causing a traffic accident involving bodily injury, and was caused by malicious actions such as driving without a license, driving under the influence of alcohol, or reckless driving	Expulsion or suspension
	Malicious violation of traffic laws, such as driving without a license, driving under the influence of alcohol, or reckless driving	Suspension or admonishment
	Causing a traffic accident involving death or bodily injury leaving serious permanent damage, and caused by negligent actions such as failing to look ahead carefully	Suspension
	Causing a traffic accident involving bodily injury, and was caused by negligent actions such as failing to look ahead carefully	Suspension or admonishment
Research activity	Fabricating, falsifying, or plagiarizing data or investigation results that are indicated in research results that were announced	Expulsion, suspension, or admonishment
Experiments	Dishonest or malicious actions such as vicariously taking an examination, etc. conducted by NAIST	Expulsion or suspension
	Dishonest actions such as cheating on examinations, etc. conducted by NAIST	Suspension

	Cases of not following warnings or instructions by a supervisor during an examination, etc. conducted by NAIST	Admonishment
Illegal actions at NAIST	Violent actions that significantly hinder NAIST's education, research, management, or operations	Expulsion, suspension, or admonishment
	Trespassing into a NAIST-managed building, or using or occupying it without authorization	Expulsion, suspension, or admonishment
	Breaking, defiling, or illegally rebuilding a NAIST-managed building or property	Suspension or admonishment
	Violent actions, intimidation, detention, or confinement of NAIST constituents	Expulsion, suspension, or admonishment
	Actions that considered to be sexual or academic harassment	Expulsion, suspension, or admonishment

Notification of disciplinary action

Graduate school/Major:

Year of admission:

Academic year:

Student ID number:

Name:

For the reason(s) stated below, the person above was disciplined as stated below on (month) (date), (year), based on the provisions of Article 70.2 and Article 70.3 of the Nara Institute of Science and Technology Regulations.

Expelled

Suspended (Period: (Month) (Date), (Year) until (Month) (Date), (Year))

Admonished

Reason for discipline
(Month) (Date), (Year)

President, Nara Institute of Science and Technology (Seal)

Request for rescreening

(Month) (Date), (Year)

To: The President of Nara Institute of Science and Technology

Person requesting rescreening: Graduate school/Major:

Year of admission:

Academic year:

Student ID number:

Name:

On (month) _____ (date) __, (year) _____ I received notification of disciplinary action, but due to the reason(s) stated below I hereby request rescreening.

Reason(s) for request for rescreening:

Content of the punishment to be rescreened:

Content of request to be rescreened: