

Regulations Concerning Student Disciplinary Action of Shiga University of Medical Science

Enacted on March 11, 2023
Amended on November 10, 2023

Article 1 Purpose

These rules shall prescribe basic matters, procedures, standards, and other necessary matters concerning disciplinary action taken against students and graduate students in accordance with the provisions of Article 52 of the School Regulations of Shiga University of Medical Science (hereinafter referred to as the “School Regulations”).

Article 2 Basic Matters

1. Disciplinary action against students shall be administered by the President of Shiga University of Medical Science (the “President of the University”) in accordance with Article 11 of the School Education Act (Act No. 26 of 1947) and Article 26, Paragraph 2 of the Implementation Regulations of the Act (Order of the Ministry No. 11 of 1947), under the educational authority of the President of the University. Disciplinary action shall be applied to students on the condition that certain events occur, in order to maintain discipline and order at the University and to achieve the educational objectives of the University.
2. Disciplinary action shall be applied after comprehensive consideration of the following matters with educational care.
 - (1) Motive, manner, and consequences of the disciplinary action
 - (2) Intentionality or negligence, and the degree of such intentionality or negligence
 - (3) Extent of damages, including mental anguish of the victim
 - (4) Influence on other students and society
 - (5) Whether or not the student has been subject to disciplinary action in the past
 - (6) The student's attitude toward study and daily life
 - (7) The student's response after committing an act that is subject to disciplinary action.
3. Whether or not the student is subject to criminal prosecution is not an absolute criterion for determining disciplinary action.

Article 3 Type of Disciplinary Action

The types of disciplinary action shall be as follows, in accordance with the provisions of Article 52, Paragraph 2 of the School Regulations.

- (1) Expulsion: To take away the student status
- (2) Suspension: Not to permit the student to attend school for a certain period of time
- (3) Admonition: To Admonition the student for their action and to give them a warning for the future

Article 4 Expulsion

Expulsion shall be given to students who fall under any of the provisions of Article 52, Paragraph 3 of the School Regulations, and re-admission shall not be permitted.

Article 5 Suspension

- 1 Suspension from school shall be for an indefinite period or for a definite period, during which time the student shall not be permitted to attend school.
2. The period of indefinite suspension shall be six months or more, and the period of definite suspension shall be less than six months.
3. Suspension for an indefinite period may be lifted only after six months or more have elapsed.

Article 6 Admonition

Admonition shall be given to the student in written notice from the President of the University, indicating the University's educational intent.

Article 7 Confinement

1. When it is clear that a student has committed a disciplinary offense, and when it is certain that disciplinary action of suspension or higher will be taken, the President may order the student to stay at home before a decision on disciplinary action is made.
2. During the period of confinement, the student is prohibited from attending school, participating in extracurricular activities, and using university facilities such as library.
3. The period of confinement may be counted, in whole or in part, for the period of suspension.

Article 8 Procedure for Disciplinary Action

1. When the Vice President in charge of education ("Vice President") confirms an act subject to disciplinary action, the Vice President shall immediately report it to the President and, after deliberation by Student Life Support Division Meeting of Education Center for Medicine and Nursing ("Division Meeting"), an investigation committee consisting of the Division Meeting members ("Committee") shall be established to investigate the facts and the necessity of disciplinary action or confinement.
2. The Committee may include members other than the Division Meeting members depending on the case.
3. The Committee shall investigate and confirm the facts of the case, and prepare a report on the findings of fact concerning disciplinary action, the necessity of disciplinary action, and a proposal for disciplinary action ("Proposed Disciplinary Action").
4. The Committee shall interview the student in question in the investigation. However, if the student is unable to be interviewed directly due to physical or mental impairment, custody, or other reasons, the Committee may obtain information through written questions, inquiries, etc., in lieu of interview.
5. Even when a student cannot be interviewed directly due to arrest or custody, the Committee may

carefully confirm the facts and make a determination of facts regarding the disciplinary action.

6. The Committee shall give the student an opportunity to explain orally or in writing at the time of the interview. However, if the student, despite being given the opportunity to explain, does not respond without justifiable reason, the student shall be deemed to have waived this right.
7. The Committee shall submit the Proposed Disciplinary Action to the Vice President.
8. The Vice President shall consult with the Faculty Meeting or the Graduate School Board on the Proposed Disciplinary Action in accordance with the preceding paragraph after consulting with the Division Meeting, and report its opinion to the President.

Article 9 Decision on Disciplinary Action

The President shall submit the contents of the report from the Vice President to the Education and Research Council for its deliberation, and decide on the disciplinary action to be taken.

Article 10 Educational Measures

The Vice President may take the following educational measures against a student in order to encourage repentance and remind the student's duty, even in cases where the procedures stipulated in Article 8 do not constitute a disciplinary action.

- (1) Sever Warning: A strong request for repentance, either orally or in writing
- (2) Warning: A request for repentance, either orally or in writing

Article 11 Measures during the Period of Suspension

1. The student's academic advisor for class and year, or supervisor shall be in charge of guiding the student toward rehabilitation during the period of suspension, through interviews, etc. However, the mental care of the student shall be provided in cooperation with the Health Administration Center, etc.
2. During the period of suspension, the student shall not be allowed to take the examinations stipulated in Article 2 of the Internal Regulations for Course Examinations and Promotion Handling of the School of Medicine and Nursing at Shiga University of Medical Science ("Promotion Handling Internal Regulations"). However, students may take the course registration procedures.

Article 12 Notification of Disciplinary Action and Effective Date

1. The President shall notify the student of the disciplinary action by issuing a letter of disciplinary action.
2. The disciplinary action shall be effective as of the date the letter of disciplinary action is issued.

Article 13 Public Notice

In the event of a disciplinary action, the University shall display the public notice of the action on campus for seven days.

Article 14 Preservation and Disclosure of Disciplinary Records

1. The President shall preserve documents stating the fact that was the cause of the disciplinary action and the details and reasons for the action taken.
- 2 The President may disclose the documents upon request of the student disciplined.

Article 15 Appeal

1. If the disciplined student is dissatisfied with the disciplinary action, they may file an appeal to the President with the designated form, giving the reasons for the dissatisfaction, with supporting documents etc.
2. The appeal set forth in the preceding paragraph must be filed within 14 days of the day following the day on which the student was notified of the disciplinary action.
3. When an appeal under the preceding paragraph is filed, the President shall promptly establish a Review Committee consisting of individuals designated by the President. The operation of the Review Committee shall be determined separately.

Article 16 Lifting of Suspension

1. The Vice President may apply to the President for the lifting of the suspension of a student who has been suspended from the University if the Vice President deems it appropriate, based on a comprehensive judgment of the student's degree of remorse and willingness to learn, etc., after deliberation by the Department Council.
2. The President may decide to lift the suspension based on the application from the Vice President.
3. The President shall give notice of the lifting of the suspension to the student by a designated form.

Article 17 Disciplinary Action and Removal from Student Registry

1. In the event that a student who has committed a disciplinary offense requests to voluntarily take a leave of absence or voluntarily withdraw from the University before a decision on disciplinary action is made, the President shall not accept such request.
2. When suspending a student who is on a leave of absence, the President shall cancel the student's leave of absence.
3. If any incidents that a student who is subject to disciplinary action and must be removed from student registry as provided by the Article 50 of the School Regulations while waiting for the decision to be made, the President shall withhold the removal and take the following actions.
 - (1) When the type of disciplinary action is expulsion, the disciplinary action of expulsion shall be taken as of the date of removal.
 - (2) If the disciplinary action is other than expulsion, the student shall be removed from student registry on the date of removal and at the same time the disciplinary action is taken. However, if the reason for removal is death, the student shall be removed on the date of death and the disciplinary proceedings shall be suspended.

Article 18 Handling of Misconduct in Examination

Cases of misconduct in examinations, as specified in Article 11, Paragraph 4 of the Internal Regulations for Course Examinations and Promotion Handling, shall be addressed in accordance with these Regulations.

Article 19 Request for Reinvestigation by Students

1. A disciplined student may request the President to re-examine the case if the underlying facts are found to be incorrect or if other valid reasons exist.
2. Upon receiving such a request, the President shall instruct the Vice President to promptly conduct a reinvestigation.

Article 20 Establishment of the Reinvestigation Committee

1. Upon receiving a request as specified in Paragraph 2 of the preceding Article 8, the Vice President shall establish a reinvestigation committee composed of members from the Division Meeting, with the approval of this Meeting.
2. Depending on the case, the reinvestigation committee may also include individuals who are not members of the Division Meeting.

Article 21 Procedures for Reinvestigation

1. The reinvestigation committee shall review the grounds for the request and, based on its findings, proceed as follows:
 - (1) If the request for reinvestigation is determined to be rejected, a report detailing the reasons for rejection shall be prepared and submitted to the Vice President.
 - (2) If the Vice President determines that reinvestigation is necessary, the committee shall investigate the grounds for the request, prepare a draft of disciplinary action plan, and report it to the Vice President.
2. The Vice President shall consult with the Faculty Meeting or the Graduate School Board on the contents of the report in the preceding paragraph after discussing with the Division Meeting, and then report their opinion to the President.
3. The President shall present the Vice President's report to the Education and Research Council, which will decide whether to dismiss the request for reinvestigation or to take disciplinary action, including addressing any unjustifiable disciplinary action.

Article 22 Standards of Disciplinary Action

The standards of disciplinary action are shown in the appendix.

Article 23 Mutatis Mutandis Application of these Regulations

These Regulations shall apply mutatis mutandis to non-regular students such as auditing students as stipulated in Chapter 11 of the School Regulations.

Article 24 Confidentiality

Individuals involved in disciplinary action against students shall not disclose information obtained in the course of their duties. This obligation of confidentiality extends even after they leave their positions.

Article 25 Miscellaneous Provision

In addition to the provisions outlined in these Regulations, any additional matters necessary for disciplinary action against students shall be determined separately by the President.

Supplementary Provisions:

These regulations shall come into effect as from April 1, 2015.

These regulations shall come into effect as from April 1, 2016.

These regulations shall come into effect as from July 1, 2020, and shall apply as from July 1, 2019.

These regulations shall come into effect as from April 1, 2022.

These regulations shall come into effect as from April 28, 2023.

These regulations shall come into effect as from November 10, 2023.

Appendix: Standards of Disciplinary Action

Examples of acts and types of disciplinary action are listed in the table below.

Acts not listed in the table may still be subject to disciplinary action, depending on the severity of the offense. These include conduct that brings the University into disrepute, violates School Regulations, or violates medical professional ethics.

Various types of disciplinary action may be taken depending on the case.

Repeat offenses by previously disciplined students may incur heightened penalties due to their perceived greater severity.

Examples of Acts Subject to Disciplinary Action	Types of Disciplinary Action
1. Criminal Acts (including attempted acts)	
(1) Heinous crimes such as murder, robbery, non-consensual sexual intercourse, arson, kidnapping, etc.	Expulsion
(2) Assault, theft, fraud, extortion, etc.	Expulsion/Suspension
(3) Molestation, peeping, voyeurism, stalking, other nuisance acts	Expulsion/Suspension/Admonition
2. Traffic Accidents and Violation of Traffic Laws	
(1) Personal injury resulting in death or serious sequelae, including drunken driving and hit and run, driving without a license, driving spree, and other malicious acts	Expulsion
(2) Personal injury accidents other than (1) above caused by drunken driving, hit and run, driving without a license, driving spree, and other malicious acts	Expulsion/Suspension
(3) Personal injury resulting in death or serious sequelae caused by negligence of the driver	Expulsion/Suspension/Admonition
(4) Personal injury accidents other than (3) above caused by negligence of the driver	Suspension/Admonition
(5) Malicious acts violating traffic laws, such as drunken driving, driving without a license, driving spree, or aiding and abetting such driving, etc.	Suspension/Admonition
3. Drug Offenses	
Possession, trafficking, or use of illegal drugs or dangerous drugs or improper use of drugs	Expulsion/Suspension
4. Harassment	
Any act of harassment, including sexual harassment, academic harassment, power harassment	Expulsion/Suspension/Admonition
5. Coercion of Alcohol Consumption	
(1) Coercing an individual to consume alcohol, resulting in severe outcomes including death or other serious consequences	Expulsion/Suspension
(2) Coercing an individual to consume alcohol, resulting in harm such as acute alcohol intoxication	Suspension/Admonition
(3) Coercing an individual under the age of 20 to consume alcohol, knowing their age	Suspension/Admonition

6. Leakage of Personal Information	
When personal information of faculty, staff, students, or patients obtained through classes, training, etc. is disclosed	
(1) Intentionally leaked	Expulsion/Suspension
(2) Leaked due to negligence	Suspension/Admonition
7. Computer Fraud, etc.	
Unauthorized use of computers and computer networks, etc., and/or committing fraud using computers and computer networks, etc.	Expulsion/Suspension/Admonition
8. Misconduct in Examination	
When the content of misconduct in examination is deemed to be extremely malicious (Notwithstanding above, any misconduct in examination shall be dealt with in accordance with Article 11 of Internal Regulations for Course Examinations and Promotion Handling of School of Medicine and School of Nursing at Shiga University of Medical Science.)	Expulsion/Suspension/Admonition
9. Misconduct Interfering with University Education and Research	
(1) Falsification, plagiarism, or manipulation of work or data in the preparation of research results	Expulsion/Suspension
(2) Any act that causes or hinders the loss of intellectual property	Expulsion/Suspension/Admonition
(3) Interfering with the study, research, or legitimate activities of other students or the work of faculty by force, violence, or other unlawful means.	Expulsion/Suspension/Admonition
(4) Trespassing or unauthorized use or occupation of University premises	Expulsion/Suspension/Admonition
(5) Destruction, defacement, or alteration of University-controlled buildings or property	Expulsion/Suspension/Admonition

(English version does not include related forms.)

* In the event of any discrepancy in expression or interpretation between the Japanese and English versions of these Regulations, the Japanese version shall prevail.