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Ritsumeikan University Student Discipline Regulations

January 29, 2010

Regulation No. 824

Article 1: Purpose

These regulations set forth matters concerning disciplinary action of students based on the provisions of Paragraph 4 of Article 57 of the Ritsumeikan University Regulations (hereinafter referred to as the "University Regulations") and Paragraph 4 of Article 91 of the Ritsumeikan University Graduate School Regulations (hereinafter referred to as the "Graduate School Regulations").

Article 2: Scope

1. These regulations shall apply to undergraduate students and graduate students (hereinafter referred to as "Students").
2. The handling of auditing students, special auditing students, non-degree students, professional training students, doctoral research students, post-Master's research students and international doctoral research students shall be as prescribed by the regulations that apply to them.

Article 3: Disciplinary Policies

1. Disciplinary action shall be taken with needed consideration for education in accordance with the provisions of the School Education Act and the Regulations for Enforcement of the School Education Act to allow Students to fulfill their obligations at Ritsumeikan University.
2. Disciplinary action shall be taken after comprehensive consideration for acts of misconduct subject to disciplinary action, the impact of the consequences of such acts on third parties, and all special circumstances behind such acts, among other factors.
3. Due consideration shall be given so that disadvantages imposed on a Student through

disciplinary action do not exceed the extent necessary for the purpose of said disciplinary action to be achieved.

Article 4: Period Subject to Disciplinary Action

Disciplinary action shall be taken for acts of misconduct committed during the period that a Student is enrolled at Ritsumeikan University.

Article 5: Acts Subject to Disciplinary Action

Acts of misconduct subject to disciplinary action are listed in the following items.

- (1) Violations of laws and regulations, including criminal laws and regulations;
- (2) Harassment;
- (3) Violations of information ethics;
- (4) Violations of academic ethics;
- (5) Interfering with the academic research activities of Students or faculty members, or the operations of Ritsumeikan University;
- (6) Cheating in examinations, etc.;
- (7) Violations of the matters that all Students must comply with under the regulations set by Ritsumeikan University and the standards of conduct on which these regulations are based;
- (8) Conduct that is inconsistent with the obligations of Students

Article 6: Types of Disciplinary Action

1. Disciplinary actions stipulated under Paragraph 2 of Article 57 of the University

Regulations and Paragraph 2 of Article 91 of the Graduate School Regulations shall be either withdrawal, suspension, or a reprimand.

2. Withdrawal means that a Student will be divested of their status as a Student.

3. Suspension means that a Student's enrollment in curricular and extracurricular activities, etc., will be suspended for a fixed period of time.

4. A Reprimand is a written caution that confirms the responsibility of the Student for their misconduct and gives a warning about their future.

Article 7: Period of Suspension

The period of suspension shall be an indefinite period or a fixed period of not less than one (1) month and not more than six (6) months.

Article 8: Strict Warnings

1. Even in cases that do not warrant disciplinary action, a Dean of a College or Graduate School (hereinafter referred to as the "Dean") may give a strict warning to a Student if approved by the Faculty Council or the Graduate School Committee (hereinafter referred to as the "Faculty Council").
2. A strict warning shall be issued to make the Student aware of the problematic nature of their actions and urge them to reflect on this.

Article 9-1: Investigations of Facts

1. The Dean shall conduct an investigation to clarify facts using methods such as interviews with Students (hereinafter referred to as the "Student Under Investigation") who have committed or are suspected of having committed actions subject to disciplinary action (hereinafter referred to as "the Conduct in Question") and persons who are believed to be connected with the Conduct in Question (hereinafter referred to as "Connected Persons").
2. The Dean may, if deemed necessary, request that the Student Under Investigation and Connected Persons submit documents (including electromagnetic records) and items that supply evidence of relevant facts or verify the location(s) of the Conduct in Question.
3. The Dean may record the statements made at the interviews of the Student Under Investigation and Connected Persons so that the investigation of facts is conducted in a proper and fair manner.
4. The Dean may, if deemed necessary, establish an Investigation Committee to conduct an investigation to clarify the facts.

Article 9-2: Adoption of Facts Found by the Dean of the Division of Student Affairs

1. When facts pertaining to the Conduct in Question have already been clarified by the Dean of the Division of Student Affairs, during the process of resolving a problem, such

as an incident or accident, etc., or when an investigation into the facts by the Dean of the Division of Student Affairs is in progress, the Dean may adopt the facts found by the Dean of the Division of Student Affairs as facts that are the basis for disciplinary procedures.

2. The provision set forth in the preceding paragraph shall not preclude the Dean from investigating facts set forth in the immediately preceding article.

Article 9-3: Adoption of Facts Determined by the Ritsumeikan University and Ritsumeikan Affiliated Schools Harassment Prevention Committee

When facts pertaining to the Conduct in Question have already been clarified during an investigation by the Ritsumeikan University and Ritsumeikan Affiliated Schools Harassment Prevention Committee, the Dean may adopt the facts found by this committee as facts that are the basis for disciplinary procedures.

Article 9-4: Educational Guidance

If the Dean finds that during or after an interview that a Student Under Investigation admits to the Conduct in Question, or if it is deemed clear from the testimony of a Connected Person and the existence of other objective evidence that the Student Under Investigation committed the Conduct in Question, the Dean shall provide educational guidance to urge the Student Under Investigation to reflect on the Conduct in Question and request that they submit a statement of remorse.

Article 9-5: Emergency Measures

If the Dean deems there is a clear, specific and imminent danger of the Student Under Investigation harming the life, body, property or other rights and interests of a third party, they may give an order, such as suspending attendance at classes, prohibiting the Student from coming to the university, or prohibiting contact with specific persons or groups, for a reasonable period of time to the Student Under Investigation.

Article 10-1: Draft Proposal for Disciplinary Action

If disciplinary action is deemed to be appropriate, the Dean shall prepare a draft proposal

for disciplinary action (hereinafter referred to as the "Draft") which includes the following items.

- (1) The type of the proposed disciplinary action and the provision or provisions of the regulations on which it is based;
- (2) The facts which are the primary factor for the disciplinary action;
- (3) The extent to which the Student Under Investigation shows remorse and the likelihood that they will improve their conduct;
- (4) Other matters deemed necessary for disciplinary procedures

Article 10-2: Student Affairs Conference

1. The Dean shall attach the documents listed in the following items to the Draft and submit them to the Student Affairs Conference and seek their opinion thereof.
 - (1) Reports of investigators;
 - (2) Records of interviews;
 - (3) Statement of remorse (if submitted)
2. If the planned disciplinary action is a reprimand or suspension for a period of no more than two (2) months and the Student Under Investigation has admitted to the Conduct in Question, the documents listed in items (1) through (3) of the preceding paragraph need not necessarily be attached to the Draft if the Dean of the Division of Student Affairs deems that this would not hinder the deliberations of the Student Affairs Conference.
3. When determining if omitting the documents may hinder the deliberations prescribed in the preceding paragraph, the Dean of the Division of Student Affairs shall take into consideration the nature and details of the Conduct in Question and the existence of any precedents.

Article 10-3: Granting of Opportunity for Explanation

1. The Dean shall present the Draft to the Student Under Investigation and give them an opportunity to explain their actions within a reasonable period of time. However, this shall not apply if the Student Under Investigation waives the opportunity for explanation or fails to submit a written explanation within a set period of time without reasonable grounds.
2. The explanation prescribed in the preceding paragraph shall be submitted as a written

document in which they state their explanation (hereinafter referred to as the "Written Explanation"). Documentary evidence, etc., may be attached to the Written Explanation.

3. If the Dean finds the explanation to be reasonable and intends to change all or part of the Draft, or cancel it, the Dean shall prepare a Draft with revisions for all or part of it (hereinafter referred to as the "Revised Draft") or prepare a statement on cancelling the Draft, and submit this to the Student Affairs Conference with the Written Explanation for its opinion.

Article 10-4: Decisions on Disciplinary Action

1. The Dean shall submit the Draft or the Revised Draft, the opinion of the Student Affairs Conference and the documents listed in the items of Paragraph 1 of Article 10-2 to the Faculty Council for deliberation.
2. The Dean shall prepare a draft for disciplinary action that reflects the opinion of the Student Affairs Conference and the conclusions of the deliberations of the Faculty Council, and request for a decision on disciplinary action by the President.
3. The President shall make a decision on the disciplinary action when requested.

Article 11: Execution of Disciplinary Action

1. Disciplinary action shall be taken by issuing a written notification stating the matters listed in the following items which states the title and name of the President of Ritsumeikan University (hereinafter referred to as the "Notification of Disciplinary Action") to the Student Under Investigation. The disciplinary action shall be effective from the moment the Notification of Disciplinary Action is issued.
 - (1) The type of disciplinary action and the provision or provisions of the regulations on which it is based;
 - (2) If the disciplinary action is for a specific period of time, the start date and end date;
 - (3) The facts which are the primary factor for the disciplinary action;
 - (4) A period for submitting an appeal and to whom the appeal should be submitted
2. If the Student Under Investigation does not accept receipt of the Notification of Disciplinary Action, or if there are circumstances that make it difficult to issue the Notification of Disciplinary Action to the Student Under Investigation, the Notification of

Disciplinary Action may be delivered to the address that the Student Under Investigation has reported to Ritsumeikan University or the current residence thereof to ensure execution of the disciplinary action.

3. In the case referred to in the preceding paragraph, the disciplinary action shall be effective from the day that the Notification of Disciplinary Action is delivered.

Article 12: Notification to Guarantor

1. The Dean shall send a copy of the Notification of Disciplinary Action, which shall be addressed to the Student Under Investigation who has been issued or sent a Notification of Disciplinary Action or notified as set forth in Paragraph 3 of the preceding Article (hereinafter referred to as the " Student Subject to Disciplinary Action "), to the guarantor of the Student Subject to Disciplinary Action to notify the guarantor of the disciplinary action.
2. The notification set forth in the preceding paragraph may be omitted by furnishing the guarantor with a copy of the Notification of Disciplinary Action if they were in attendance for the issuance thereof as set forth in the preceding Article.

Article 13: Public Notice

1. The Dean shall, in the event of disciplinary action, immediately post a public notice that includes the title and name of the President.
2. The public notice is to include the name of the college or Graduate School, etc., that the Student Subject to Disciplinary Action is enrolled in together with their course of study (major) and year of study (courses and year), the type of disciplinary action, the provision or provisions of the regulations on which the disciplinary action is based, and the period of the disciplinary action.
3. The public notice is to be posted for a period of one (1) month.
4. The Dean may decide not to publicly post all or part of a public notice if they deem that there is a risk that a public notice on disciplinary action may harm the interests of a third party, or if they deem that the public notice would not comply with the disciplinary policies prescribed in Article 3.

Article 14: Deleted

Article 15: Records on Disciplinary Action

The Dean shall record the fact that disciplinary action has been taken in the university register.

Article 16: Appeals

1. A Student given disciplinary action may lodge an appeal against the disciplinary action within thirty (30) days from the effective date of the disciplinary action. However, if there are reasonable grounds for not being able to lodge an appeal within the period of time set in this paragraph, the Student may lodge an appeal within thirty (30) days from the date such grounds cease to exist.
2. Students who intend on lodging an appeal shall submit their written appeal to the President.

Article 17: Appeal Review Committee

1. The President shall establish an Appeal Review Committee (hereinafter referred to as the "Committee") based on the appeal set forth in the immediately preceding Article.
2. The Committee shall be comprised of five (5) individuals, including one of the Vice Presidents and Deans or Vice Deans of colleges or graduate schools in which the Student who lodged the appeal is not enrolled.
3. The Committee may request the attendance of experts, such as lawyers, if it is deemed necessary.
4. The Committee shall conduct a review based on the written appeal lodged by the Student.
5. The Student who has lodged an appeal may state their opinion in writing and supply documentation.
6. If the Committee determines that the details of the disciplinary action are appropriate, it shall recommend to the President that the appeal be dismissed.
7. If the Committee determines that the details of the disciplinary action are not appropriate, it shall recommend to the President that the disciplinary action be cancelled or changed.

8. If the President has received a recommendation as set forth in the preceding two paragraphs, the President shall notify the Student who lodged the appeal of how the recommendation shall be handled.

Article 18: Re-deliberation

1. If the President receives a recommendation as set forth in paragraph 7 of the preceding Article, the President shall request that the relevant Dean re-deliberate the matter.
2. In the case of the preceding paragraph, the Dean shall re-deliberate the matter at a meeting of the Faculty Council.

Article 19: Restriction on Withdrawal

The Dean shall not accept a request for withdrawal from a Student Under Investigation during disciplinary procedures.

Article 20-1: Guidance during Suspension Period

1. When the disciplinary action of suspension is imposed, the Dean shall provide educational guidance to the Student Subject to Disciplinary Action during the period of suspension.
2. The Dean may, if it is deemed necessary for educational guidance, permit the Student Subject to Disciplinary Action to use facilities and participate in regular classes.

Article 20-2: Lifting of Indefinite Suspension

1. Indefinite suspension may be lifted on or after the day on which six (6) months have elapsed from the date the indefinite suspension started if it is deemed that there is a likelihood that the Student Subject to Disciplinary Action will improve their conduct.
2. Indefinite suspension shall be lifted by the President once they have sought the opinion of the Student Affairs Conference and deliberations have been held by the Faculty Council or Graduate School Committee.
3. Indefinite suspension shall be lifted by issuing a written notification to the Student Subject to Disciplinary Action. If it is not possible to issue a written notice, the provisions of paragraphs 2 through 4 of Article 11 shall apply mutatis mutandis.

4. The provisions of Article 12 shall apply mutatis mutandis to the notification to the guarantor.

Article 21: Delegation of the Implementation Guidelines

Matters necessary for the implementation of these regulations shall be prescribed by the Dean of the Division of Student Affairs in the implementation guidelines.

Article 22: Revision or Abolition

The University Senate shall revise or abolish these regulations following deliberations by Faculty Councils and Graduate School Committee.

Supplementary Provisions

These regulations shall come into effect on April 1, 2010.

Supplementary Provisions (March 24, 2017: Partial revision following clarification of disciplinary procedures, etc.)

These regulations shall come into effect on April 1, 2017, and shall apply to cases that occur on or after April 1, 2017.

Supplementary Provisions (June 22, 2018: Partial revision due to a reorganization of the Ritsumeikan University and Ritsumeikan Affiliated Schools Harassment Prevention Committee)

These regulations shall come into effect on June 22, 2018, and shall apply from April 1, 2018.

Supplementary Provisions (July 9, 2021: Partial revision following addition of an Investigation Committee)

These regulations shall come into effect on July 9, 2021.

Supplementary Provisions (March 25, 2022: Partial revision following change to the age of majority due to legal revision of the Civil Code)

These regulations shall come into effect on April 1, 2022.