

## Regulations regarding the Promotion of Research Integrity at Osaka University

\* Please note that this document is a translation of the Japanese version, and should only be used as a reference.

(Purpose)

### **Article 1**

In order for Osaka University (hereinafter referred to as “university”) to achieve the mission of contributing to the welfare of humanity through the development of science, culture, and high-level education, with which we have been entrusted by society, these regulations have been established to promote research integrity, to prevent research misconduct, and to set forth regulations on appropriate and prompt response procedures in case problems arising from misconduct occur.

(Definitions)

### **Article 2**

In these regulations, “misconduct” is defined as inappropriate behavior in research activities, such as fabrication, falsification, plagiarism, duplicate submissions or inappropriate authorship, and other such serious deviations from research ethics, and taking into account the code of conduct of scientists and social norms.

2. Among the forms of misconduct specified in the preceding paragraph, “specific research misconduct” in these regulations shall refer to fabrication or falsification of research data or findings of, or plagiarism in published papers, etc., whether intentional or attributable to gross neglect of basic due procedural diligence as a researcher, and the meaning of the term shall be as defined in the items below:

- (1) Fabrication: making up non-existing data or research findings
- (2) Falsification: manipulating research materials, devices or processes, tempering with data or the findings obtained through research activities to make them inconsistent with the facts
- (3) Plagiarism: using other researchers’ ideas, analyses, methodologies, data, research findings, publications, or terminology without their approval or without proper citations

3. In these regulations, “researchers, etc.” shall refer to all Osaka University’s faculty, staff and students engaged in research activities at the university, and any others making use of the university’s facilities for research purposes.

4. In these regulations, “academic units” includes all Schools/Faculty, Graduate Schools, University Libraries, University Hospitals, Research Institutes, Joint-Use Facilities, National Joint-Use Facilities, and any other organizations equivalent to these.

(Obligations of Researchers, Etc.)

**Article 3**

Researchers, etc. must not engage in misconduct. They must make every effort to prevent misconduct by others.

2. In order to achieve the ethical standards required of researchers, etc., researchers, etc. shall receive necessary training on the responsible conduct of research (hereinafter referred to as “RCR Education”).

3. As a means of ensuring rigor and reproducibility of their research, researchers, etc. shall appropriately retain and manage experiments and observation notes, experiment data and other research materials, etc., for a fixed period, and shall disclose their research in cases where such disclosure is deemed necessary or appropriate.

4. The retention period and management methods for the research materials given in the preceding paragraph shall be provided separately.

(Senior Responsible Conduct in Research (RCR) Officer)

**Article 4**

A Senior RCR Officer shall be put in place at the university, assigned to the Executive Vice President of Research.

2. The Senior RCR Officer has general jurisdiction over RCR related issues at the university and is responsible for improving research ethics and preventing misconduct, etc. The Senior RCR Officer shall take appropriate measures to promote integrity in research activities.

3. Apart from the matters specified in the preceding paragraph, the Senior RCR Officer is responsible for establishing and maintaining a system for taking countermeasures against research misconduct at this University, and for handling allegations and investigations.

(Obligations of Deans and Directors)

**Article 5:**

Deans and Directors must make every effort to create an environment where research integrity is promoted and misconduct is deterred at their own academic units.

2. Deans and Directors are responsible for the contact points set forth in Paragraph 3 of Article 10 and for dealing with research misconduct at their own academic units.

(Appointment of an RCR Education Officer)

**Article 6**

An RCR Education Officer shall be assigned at each academic unit.

2. The Dean or Director of each academic unit shall be designated as the RCR Education Officer.

3. The RCR Education Officer must have researchers, etc. regularly receive RCR education appropriate for the characteristics of related research fields at the academic unit.

4. At each academic unit, a Vice-RCR Education Officer may be appointed as required, who may take responsibility for the practical implementation of RCR Education.

5. The particulars for the implementation of RCR Education shall be separately provided.

(Research Integrity Committee)

**Article 7**

In order to promote research integrity, as well as to deal with misconduct by researchers, etc., a Research Integrity Committee (hereinafter referred to as the “Committee”) shall be put in place at the university.

2. Members of the Committee shall be assigned the following positions:

- (1) The Senior RCR Officer
- (2) Five (5) members of academic staff designated by the President
- (3) Experts from outside the university
- (4) Legal specialists
- (5) Other persons whom the Committee deems necessary

3. A Chairperson shall be put in place in the Committee, assigned to the member of the Committee listed in item (1) of the preceding paragraph.

4. The members of the Committee shall be appointed by the President.

5. The terms of service of the Committee members in items (2) to (5) of Paragraph 2 above is 2 years; in cases where a vacancy arises, the successor’s term of service shall be the remaining term of service of the predecessor.

6. The substitute member mentioned in the preceding paragraph shall not be prevented from being re-appointed.

(Duties of the Committee)

**Article 8**

The Committee shall carry out the following:

- (1) Matters concerned with awareness-raising activities in relation to the promotion of research integrity (including RCR training to the RCR Education Officer)
- (2) Matters concerned with the gathering and thorough provision of information in relation to the promotion of research integrity
- (3) Matters required for responding, investigating, and judging allegations of specific research misconduct by researchers, etc.
- (4) Other matters necessary for promoting research integrity and dealing with misconduct

(Special Advisors)

**Article 9**

To ensure appropriate investigations and deliberations in different research areas, special advisors may be appointed to assist the members of the Committee in fulfilling their duties.

2. Special advisors shall be appointed by the Chairperson.
3. Upon the Committee's request, special advisors may attend the Committee.
4. Other matters required for special advisors shall be separately set forth by the Committee.

(Establishment of Contact Points)

**Article 10**

Contact points shall be established at the Administration Bureau and at each academic unit to handle allegations and provision of information on specific research misconduct (including consultations on possible misconduct and reporting of being required to participate in misconduct) as well as consultations and inquiries on the Regulations.

2. The contact point at the Administration Bureau shall be the Research Promotion Division of the Department of Research Promotion.
3. Each academic unit shall decide its own contact point.

(Allegations of Suspected Specific Research Misconduct)

**Article 11**

Persons suspecting possible specific research misconduct may make an allegation at the contact points given in the preceding Article and request an investigation.

2. The allegation given in the preceding paragraph shall be processed using a report form (separately provided) with the complainant's real name signed.

3. The allegations given in Paragraph 1 above in principle shall only be accepted if matters such as the researcher or research group are alleged to have committed specific research misconduct and the situation of such specific research misconduct is clearly specified, and only if scientifically rational and sound reasons for suspecting it to be misconduct are presented.

4. When an allegation as given in Paragraph 1 above is made at a contact point, the Dean or Director of the involved academic unit (or in the case of the Administration Bureau, the Director of the Department of Research Promotion; and the same hereinafter) must promptly report the content of allegation to the Committee Chairperson. This rule shall also hold in cases of the provision of information on specific research misconduct in Paragraph 1 of the preceding Article.

5. Notwithstanding the provisions of Paragraph 2 above, if an allegation is made anonymously, the allegation may be processed in the same way as allegations made under the complainant's real name depending on its content.

6. In cases where suspicions of specific research misconduct have been voiced in news media such as newspapers, research communities or on the internet, etc., such allegations may be processed in the same way as allegations made anonymously if: the name of the researcher alleged to have committed specific research misconduct and the situation of such specific research misconduct and the content of other matters causing concern have been clearly stated; and rational and sound reasons for suspecting it to be misconduct are presented.

(Duties of Contact Point Staff)

**Article 12**

Upon receiving an allegation, contact point staff must take thorough measures, including keeping the allegation confidential, to protect the person making the allegation (hereinafter referred to as the "complainant").

2. Upon receiving an allegation, contact point staff must take necessary measures to protect the content of the allegation from being leaked in any forms to others either during or after the allegation.

(Duty of Secrecy)

**Article 13**

All persons involved in the duties set forth in these regulations must not leak any confidential information obtained during such duties. The same applies after they have ceased to be members of staff etc. of the university.

2. Until the results of the investigation are made public, the Chairperson of the Committee must take thorough measures so as not to leak any confidential information against the will of the complainant or the respondent in regard to the complainant, the respondent, the content of the allegation, or the process of the investigation.

(Protection of the complainant)

**Article 14**

The Dean or Director must take appropriate measures so that the complainant's working environment shall not deteriorate by reason of making the allegation, and that the complainant shall not be subjected to discriminatory treatment.

2. Members of staff etc. of the university shall not subject the complainant to detrimental treatment due to allegations made.

3. Excepting cases where allegations have been identified to be malicious, the President shall not subject the complainant to detrimental treatment due to allegations made.

(Protection of the Respondent)

**Article 15**

Members of staff etc. of the university shall not subject the respondent to detrimental treatment due to allegations made against them.

2. The President shall not subject the respondent to detrimental treatment due to allegations made against them.

(Protection of Persons Cooperating in the Investigation)

**Article 16**

The Committee must give adequate consideration so that persons cooperating in the preliminary investigation given in Article 18 and the formal investigation given in Article

19 shall not be subject to detrimental treatment for having provided information to such an investigation.

(Allegations made with Malicious Intent)

**Article 17**

No person shall make allegations with malicious intent. “Allegations made with malicious intent” in these regulations refer to allegations made with the purpose of disadvantaging the respondent, their affiliation, or the university in some way by maligning the respondent or obstructing the respondent’s research, etc.

2. In cases where the President determines that an allegation has been made with malicious intent, the President may take measures to publicize the complainant’s name, enact disciplinary sanctions, undertake criminal proceedings, and/or other necessary measures.

(Preliminary Investigation)

**Article 18**

As a general rule, within 60 days of having received a report as given in Paragraph 4 of Article 11, the Committee shall decide whether an investigation should be initiated. Along with informing the complainant of its decision, the Committee may, where the necessity of an investigation has been acknowledged, direct the Dean or Director of the academic unit that is most involved in the matter causing concern to make necessary investigations (hereinafter referred to as “preliminary investigation”) and appropriate handling thereof. In this case, the date on which the necessity of an investigation was acknowledged shall be deemed to be the date of the receipt of allegations as given in Paragraph 5 of Article 11.

2. In cases that fall under the provisions of Paragraph 6 of Article 11 etc., even though no allegations are made, if an investigation is acknowledged as necessary, the Committee may direct the Dean or Director of the academic units that is most involved to make a preliminary investigation and appropriate handling thereof. In this case, the date on which the necessity of an investigation was acknowledged shall be deemed to be the date of the receipt of allegations as given in Paragraph 5 of Article 11.

3. Where there are allegations or consultations regarding suspicions of misconduct other than specific research misconduct, the Committee may, as necessary, issue directions for a preliminary investigation and appropriate handling thereof.

4. In cases where Paragraph 4 of Article 11 applies, if the Committee acknowledges that it is difficult to carry out the investigation due to reasons such as the separately provided

retention period for research data relating to the allegation has exceeded, the allegation in question may be dismissed.

5. In principle, if a preliminary investigation is undertaken, the Dean or Director shall conclude the investigation within 60 days of the receipt of the allegation and report the findings to the Chairperson.

6. In a preliminary investigation, the researcher(s), etc. subject to investigation (hereinafter referred to as the “researcher(s) under investigation”) must be given the opportunity to give written or verbal explanations.

7. In cases where the Committee acknowledges that it is difficult to conduct the preliminary investigation at the involved academic unit, the Committee may request the Dean or Director of a relevant academic unit to conduct the preliminary investigation.

8. The Committee shall decide whether to conduct a formal investigation of the matter causing concern based on the findings of the preliminary investigation.

9. In cases where the Committee has decided, as given in the preceding paragraph, it shall inform the Dean or Director of the relevant academic unit, the complainant, and the researcher(s) under investigation regarding such.

10. In cases where a formal investigation is decided necessary, the Committee shall notify the President of this decision.

11. In cases where the President has received notification as given in the preceding paragraph, the President shall notify the Ministry of Education, Culture, Sports, Science and Technology (MEXT) to such effect. In cases where the research under investigation is in receipt of competitive funds, or in cases where such research is scheduled to receive such funds, the President shall also notify the funding agency allocating such competitive funds (hereinafter referred to as the “funding agency”) to such effect.

12. Other matters required in connection with the preliminary investigation which are not specified in this article shall be separately provided.

(The Investigation Committee)

#### **Article 19**

If the Committee has decided to conduct a formal investigation, it shall put in place an Investigation Committee in regard to the matter causing concern.

2. The members of the Investigation Committee shall be composed as follows:
  - (1) One (1) person from the Committee given in Item (2) of Paragraph 2 of Article 7, to be selected by the Committee
  - (2) One (1) or more persons selected by the academic unit conducting the preliminary investigation
  - (3) Experts from outside the University
3. The number of persons given in Item (3) of the preceding paragraph must comprise half or more of the total membership of the Investigation Committee.
4. None of the members of the Investigation Committee given in each Item in Paragraph 2 above shall have any relationship of direct interest with either the researcher(s) under investigation or the complainant.
5. A Chairperson of the Investigation Committee shall be put in place by being elected by the members of the Investigation Committee.
6. The members of the Investigation Committee shall be appointed by the President.
7. When the Investigation Committee has been established, the Committee shall inform the complainant and the researcher(s) under investigation of the names and affiliations of the members of the Investigation Committee. Within 7 days of receipt of such notification, the complainant and the researcher(s) under investigation may file written objections, stating the reasons thereof, with the Committee.
8. Where the Committee substitutes members of the Investigation Committee as a result of such objections, it shall inform the complainant and the researcher(s) under investigation to such effect.

(Formal Investigation)

#### **Article 20**

In cases where the Investigation Committee conducts a formal investigation, such investigation shall, in principle, be concluded within sixty (60) days of its commencement.

2. In a formal investigation, the researcher(s) under investigation must be given the opportunity to give written or verbal explanations.
3. Persons involved in the formal investigation shall cooperate in such investigation in good faith.

4. Persons involved in the formal investigation must submit documentation when required by the Investigation Committee.

5. When the investigation is concluded, the Investigation Committee shall report the findings to the Chairperson.

6. Other matters required in connection with formal investigation which are not specified in this Article shall be separately provided.

(Review of Evidence and Conclusion)

**Article 21**

Based on the findings of the formal investigation, the Committee shall review the findings to judge whether misconduct has been committed, and shall reach a final conclusion.

2. The conclusion given in the preceding paragraph shall as in principle be given within 210 days of the report of allegations as given in Paragraph 4 of Article 11.

3. Where the Committee decides that an allegation has been made with malicious intent, it shall make a conclusion to such effect.

4. In regard to the conclusion given in the preceding paragraph, the complainant must be given the opportunity to give written or verbal explanations.

5. Where conclusion has been reached under Paragraph 1 or Paragraph 3 above, the Committee must immediately report the conclusion to the President and the Dean or Director of the academic unit concerned.

6. The Committee shall inform the complainant and the researcher(s) under investigation of the conclusion under Paragraph 1 above.

7. Where the President has been informed of the conclusion that specific research misconduct has been committed, the President shall report such to the funding agency and MEXT.

(Objections)

**Article 22**

Within fourteen (14) days of being informed of the conclusion that misconduct has been committed, the researcher(s) under investigation shall be given the opportunity to make objections to the Committee.

2. Where an allegation has been concluded to be malicious, the complainant shall be given the opportunity to make objections in the same manner as given in the preceding paragraph.

3. Where the Committee deems that re-investigation is required with regard to the objections given in the preceding two paragraphs, the Committee shall direct the Investigation Committee to conduct a re-investigation. In this case, replacements may be made in the membership of the Investigation Committee as necessary.

4. Where objections have been made under Paragraph 1 above, the Committee shall report such to the President, and shall also inform the complainant.

5. Where objections have been made to the conclusion that specific research misconduct has been committed, the President shall report such to the funding agency and MEXT.

6. The provisions of the preceding two paragraphs shall also apply in cases where the objections have been dismissed and in cases where directions for re-investigation have been given.

7. The Investigation Committee shall in principle conclude the re-investigation within fifty (50) days of the commencement of such investigation, and shall report the findings to the Committee.

8. Based on the findings given in the preceding paragraph, the Committee shall make a review and decide whether to overturn the conclusion given in the preceding Article.

9. The Committee shall report to the President the conclusion of the review given in the preceding paragraph, and shall also inform the complainant and the researcher(s) under investigation.

10. Where the objections given in Paragraph 1 have been made against the acknowledgement of specific research misconduct, the President shall report the conclusion of the review to the funding agency and MEXT.

(Publicizing of the Conclusion of the Investigation)

### **Article 23**

In cases where specific research misconduct has been acknowledged, the Senior RCR Officer shall promptly publicize the conclusion of the investigation.

2. The matters to be publicized under the preceding paragraph shall include the name and affiliation of the person(s) involved in specific research misconduct, the content of the specific research misconduct, the measures taken by this University up to the publicizing, the names and affiliations of the members of the Investigation Committee, and the methodology and procedures of the investigation.

3. Notwithstanding the provisions of the preceding paragraph, in cases where research papers for which specific research misconduct have been acknowledged were withdrawn before the allegation was made, the name and affiliation of the person(s) involved in such specific research misconduct may not be publicized.

4. In cases where it is concluded that specific research misconduct was not committed, the findings of the investigation shall not, in principle, be publicized; however, this shall not necessarily apply if the matter causing concern has been externally leaked, or if mistakes in the paper etc. were not made on purpose.

5. In cases where the allegation has been judged as malicious, the Senior RCR Officer shall publicize the name and affiliation of the complainant, the reason(s) why the allegation was judged to be made with malicious intent, the names and affiliations of the members of the Investigation Committee, and the methodology and procedures of the investigation.

(Administration of the Committee, Etc)

#### **Article 24**

The administration of the Committee and the Investigation Committee shall be carried out at the Research Promotion Division of the Department of Research Promotion.

(Recommendation of Withdrawal of Research Papers, Etc.)

#### **Article 25**

Where specific research misconduct has been acknowledged, the Senior RCR Officer shall recommend to the relevant researcher(s) under investigation that the research paper(s) etc. for which such specific research misconduct has been acknowledged, be withdrawn, revised or that other measures be taken.

2. In cases where the researcher(s) under investigation given in the preceding paragraph fails to comply with such recommendations, the Senior RCR Officer may take measures necessary.

(Penalties)

**Article 26**

In cases where misconduct has been acknowledged as the conclusion of a formal investigation, the President shall impose penalties on the person(s) involved, in accordance with the provisions of the Work Regulations and other regulations.

2. Where the penalties given in the preceding paragraph are for specific research misconduct, the President shall inform the relevant funding agency and other relevant governmental ministries and offices of the penalties.

(Corrective and Preventive Actions, Etc.)

**Article 27**

In cases where the existence of misconduct has been confirmed as the conclusion of a formal investigation, the Committee shall direct the Dean or Director of the relevant academic unit to take appropriate measures from the following:

- (1) Education in research ethics to the researcher(s) under investigation
- (2) Review of issues existing in the research organization, the research environment, and the system of research supervision
- (3) Any other matters necessary to prevent the reoccurrence of misconduct

(Miscellaneous)

**Article 28**

Apart from the matters specified in the Regulations, any other matters required in connection with the promotion of research integrity etc. shall be separately provided; for unprovided matters in relation to the handling of research misconduct etc., the Guidelines for Responding to Misconduct in Research (Decision of the Minister of Education, Culture, Sports, Science and Technology of August 26, 2014) shall apply.

**Supplementary Provision**

The Regulations have been in force since October 1, 2006.

**Supplementary Provision**

The revision has been in force since October 1, 2007.

**Supplementary Provision**

The revision has been in force since April 1, 2009.

**Supplementary Provision**

The revision has been in force since April 20, 2010.

**Supplementary Provision (excerpt)**

(Effective date)

1. The revision has been in force since April 1, 2012.

**Supplementary Provision (excerpt)**

(Effective date)

1. The revision has been in force since October 1, 2013.

**Supplementary Provisions**

1. The revision has been in force since April 1, 2015.
2. The revised provisions shall apply to allegations received on and after April 1, 2015; allegations received before this date shall be dealt with in accordance with previous practices.

**Supplementary Provision**

The revision has been in force since April 1, 2016.

Separate Form (Related to Article 11)

## REPORT FORM

Date: mm/dd/yy

To: The Chairperson, Osaka University Research Integrity Committee

Name: [seal]

Affiliation:

Title etc.:

Phone number / e-mail:

Based on the provisions of Article 11 of Regulations regarding the Promotion of Research Integrity at Osaka University, I am reporting act(s) of specific research misconduct in research activities below:

1. Name, title etc. and affiliation of researcher(s) involved

Name:

Affiliation:

Title etc.:

2. Type of act(s) of specific research misconduct: (fabrication/falsification/plagiarism etc.)

3. Content of specific research misconduct:

4. Period of occurrence of specific research misconduct:

Month:

Year:

5. Location of occurrence of specific research misconduct:

6. Corroborative facts:

7. Research funding involved (to the extent you are aware of):

Name of funding agency:

Name of fund:

Name of research theme:

Number:

8. Any other matters for reference (voluntary):

NOTE: It may not be possible to conduct an adequate investigation if any of the matters given in this form are omitted or incomplete.