

○ Hosei University Guidelines for Preventing Misconduct Relating to Public Research Funds, Etc.

Regulation 917

Partially revised April 1, 2015 and April 1, 2016

Section 1. General Provisions

Purpose

Article 1. The purpose of these Guidelines is to stipulate necessary matters to prevent misconduct pertaining to public research funds, etc. to ensure the proper utilization and management of such funds.

Definitions

Article 2. Terms used in these Guidelines shall have the following meanings:

1. "Public research fund(s), etc." shall mean an external fund(s) granted after screening by the central or a local government, independent administrative agency, or other public organization for a research application from a full-time instructor of the University or from a person other than a full-time instructor of the University who the University has authorized to make the application, or for a contracted and commissioned research application from a full-time instructor of the University.
2. "Misuse, etc." shall mean any of the following acts committed by a researcher:
 - (1) Using public research funds, etc. for other purposes through willful misconduct or gross negligence;
 - (2) Using public research funds, etc. in a manner that violates the content of the decision of granting the public research fund, etc. or the conditions that may be imposed upon granting such a fund;
 - (3) Committing the act of "depositing money," where the researcher deceives the University into making payment for a false invoice which he/she requests a business operator to issue for a fictitious transaction or other fraudulent deal with the business operator and has the business operator keep the money as a deposit;
 - (4) Committing the act of "pooling money," where the researcher or any others make false claim for the reimbursement of travel expenses by applying for a fictitious business trip or through other means, or for fictitious remuneration by altering work attendance records or through other means, and keeping the money themselves;
 - (5) Committing the act of "tampering with documents," where the researcher requests a business operator to create a false invoice or other document for a certain article to deceive the University into paying the invoiced money and has the business operator deliver a different article from the one initially ordered;
 - (6) Violating the Hosei University Guidelines for Preventing Misconduct Relating to Public Research Funds, Etc. and other regulations of the University; or
 - (7) Using public research funds, etc. in a manner that violates laws, regulations, or other legal requirements.
3. "Researcher(s)" shall mean a full-time instructor(s) of the University who utilizes a public research fund, etc. granted under competitive funding, public competitive research funding, or other scheme, or a person(s) other than a full-time instructor(s) of the University who the University has authorized to make application for and utilize such a fund; or a full-time instructor(s) of the University who utilizes a public research fund, etc. for commissioned research, etc.

Compliance

Article 3. Researchers shall utilize public research funds, etc. in a fair and proper manner and in compliance with related laws and regulations, utilization standards for the public research fund granted, and relevant regulations of the University.

Section 2. Organization

Organization of Responsibilities within the University

Article 4. The organization of responsibilities for the management of public research funds, etc. shall be as set forth separately in the Regulations Regarding Responsibilities and Authorities of Jobs Pertaining to Public Research Funds, Etc.

Department Responsible for Planning and Promoting the Prevention of Misconduct

Article 5.

1. The department responsible for preventing and countering misuse and other improper acts concerning public research funds within the University shall be the Research and Development Center.

2. The duties of the department responsible for planning and promoting the prevention of misconduct shall be as provided below based on the Basic Policy on the Prevention of Misconduct.

- (1) Formulation of plans to prevent misconduct
- (2) Implementation of education and training aimed at making the plans known throughout the University
- (3) Establishment of a contact for consultation
- (4) Management of training records of each individual
- (5) Implementation of a survey aimed at measuring the level of understanding of each individual and record keeping of survey results
- (6) Collection of written pledges from individuals as stipulated in Article 3 of the Regulations Regarding Compliance Training for Proper Operation and Management of Public Research Funds, Etc. as Well as Written Pledge, as well as custody of the written pledges
- (7) Provision of information necessary for preventing and countering misuse and other improper acts pertaining to public research funds, etc. to researchers

Reporting System

Article 6. The Audit Office shall develop and establish a reporting system for use specifically for the reporting of cases of misuse of public research funds, etc.

Section 3. Development of the Basic Environment for Proper Operation and Management

Clarification and Unification of Rules

Article 7. The Research and Development Center shall develop necessary rules for paperwork procedures for public research funds, etc.

Research and Development Center

Article 8. The Research and Development Center shall undertake general administrative work pertaining to public research funds, etc. and support researchers' paperwork procedures.

Clarification of Responsibilities and Authorities

Article 9. The responsibilities and authorities of each administrative job relating to public research funds, etc. shall be as stipulated in the Regulations Regarding Responsibilities and Authorities of Jobs Pertaining to Public Research Funds, Etc.

Disciplinary Action against Managers

Article 10. Should managers specified in Article 3 of the Regulations Regarding Responsibilities and Authorities of Jobs Pertaining to Public Research Funds, Etc. fail to fully perform their supervising duties within their authority, resulting in any improper act of a researcher, they shall be subject to disciplinary action.

Written Procedures and Manual that Researchers Need to Observe

Article 11. Researchers shall observe the written procedures and manual listed below when handling public research funds, etc. and submit the prescribed documents to the Research and Development Center.

- (1) Grants-in-Aid for Scientific Research (KAKENHI) Program: Hosei University Procedures on the Handling of Grants-in-Aid for Scientific Research (KAKENHI)
- (2) Scientific research funds, etc. other than the Grants-in-Aid for Scientific Research (KAKENHI) Program: Procedures on the Use of Research Funds or such other procedures as may be prescribed
- (3) Hosei University Manual on Inspection of Articles Purchased with Public Research Funds

Place of Inspection of Articles, Etc.

Article 12. The place of inspection of articles, etc. purchased with public research funds shall be as stipulated in the Hosei University Procedures on the Handling of Grants-in-Aid for Scientific Research (KAKENHI).

Responsibilities of Researchers

Article 13. Researchers shall be:

- (1) responsible for the utilization of a public research fund, etc. granted;
- (2) responsible for submitting the required documents, etc. concerning payments;
- (3) accountable for matters entered in the documents submitted pursuant to the preceding item;
- (4) accountable for the status of research activities and the use of articles purchased; and
- (5) accountable for matters inquired at the time of internal audit or other review.

Section 4. Compliance Training

Ethics Enhancement for the Faculty, Staff, and Other Personnel Concerned

Article 14. As the department responsible for planning and promoting the prevention of misconduct, the Research and Development Center shall conduct compliance training every fiscal year for the purpose of ethics enhancement for the faculty, staff, and other personnel involved in the management of public research funds, etc. in accordance with Article 2 of the separate Regulations Regarding Compliance Training for Proper Operation and Management of Public Research Funds, Etc. as Well as Written Pledge.

Survey on the Level of Understanding

Article 15.

1. The faculty, staff, and other personnel who are subject to compliance training under Article 2 of the Regulations Regarding Compliance Training for Proper Operation and Management of Public Research Funds, Etc. as Well as Written Pledge must participate in the training.
2. The participants in the training shall undergo a survey on their level of understanding of the content of the training received and return the completed survey to the department responsible for planning and promoting the prevention of misconduct.
3. The department responsible for planning and promoting the prevention of misconduct shall keep the completed surveys returned pursuant to the preceding paragraph in accordance with the Document Management Regulations.

Section 5. Contact Points for Consultation and Reporting

Contact Points for Consultation

Article 16. The contact points for consultation concerning paperwork procedures for and rules on the use of public research funds, etc. shall be the Ichigaya Office, Tama Office, and Koganei Office of the Research and Development Center.

Contact Points for Receiving Reports

Article 17.

1. Contact points for receiving reports from within and outside of the University regarding misuse of public research funds, etc. shall be set up.
2. The contact points for receiving reports shall be the Audit Office and a lawyer designated by the President (hereinafter, "Lawyer"), and the Director of Audit Office shall serve as the supervisor of the contact points.

Handling of Reports

Article 18. Upon receipt of a report or upon notification from the Lawyer that a report has been received, the Audit Office shall notify the Head Administrative Officer promptly to that effect and respond to the report in accordance with the Regulations Regarding the Operation of the Reporting System for Misconduct Pertaining to Public Research Funds, Etc.

Section 6. Understanding of Causes of Misconduct and Formulation and Implementation of Plans to Prevent Misconduct

Publicizing Misconduct and Prevention of Recurrence

Article 19. If the Investigation Committee, as defined in Article 13 of the Regulations Regarding the Operation of the Reporting System for Misconduct Pertaining to Public Research Funds, Etc., confirms as the result of investigation that an improper act was committed in the management of a public research fund, etc. granted, the Head Administrative Officer shall publicize the case within the University, share the problem, and work to prevent recurrence.

Understanding of Causes of Misconduct and Formulation of Plans to Prevent Misconduct

Article 20. The Director of Research and Development Center shall appoint a representative responsible for planning and promoting the prevention of misconduct within the center and have the representative investigate and understand the causes of any improper act that occurred and take specific measures.

Section 7. Proper Operation and Management of Research Funds

Proper Operation and Management

Article 21. To ensure proper management of public research funds, etc., the Department/Campus Supervisor shall:

- (1) develop a system that facilitates researchers to monitor the status of spending (by, for instance, sending the public research fund balance book regularly to researchers) for well-planned utilization of the budget;

- (2) inspect each payment request, in principle, several times using more than one (1) checker; and
- (3) appoint a person in charge of ensuring proper payment of an article's cost and have the person inspect each article delivered.

Proper Management of Travel Expenses and Remuneration

Article 22. To ensure proper payment of travel expenses and remuneration pertaining to public research funds, etc., the audit function shall conduct internal audit, where it shall extract samples from among travel expenses and remuneration paid during the fiscal year and check with research partners and remuneration recipients that the travel expenses and remuneration sampled are true and correct.

Measures for Business Operators

Article 23.

1. The Accounting Control Officer or the Department/Campus Supervisor shall explain the University's rules regarding public research funds, etc. to business operators to ensure their compliance with the rules and encourage their proper use of public research funds, etc.
2. The Head Administrative Officer shall apply Article 29 of the Regulations Regarding the Operation of the Reporting System for Misconduct Pertaining to Public Research Funds, Etc. to any business operator involved in a dishonest transaction pertaining to public research funds, etc.
3. Business operators shall submit a written pledge to the Research and Development Center upon request.

Transactions with Companies Run by Researchers and/or Their Family

Article 24.

1. Researchers who desire to deal with a company or other organization run by themselves and/or their family in the course of the operation of public research funds, etc. shall notify the Accounting Control Officer to that effect in advance and obtain permission from the Head Administrative Officer.
2. Researchers who fail to obtain permission from the Head Administrative Officer pursuant to the preceding paragraph may not deal with a company or other organization run by themselves and/or their family.

Section 8. Internal Audit and Monitoring

Audit

Article 25.

1. The Auditors of Hosei University, Audit Office, and audit assistants shall constitute the audit function.
2. The audit function shall conduct audit regularly and when necessary to verify that public research funds, etc. granted are utilized properly.
3. During its audit, the audit function may contact researchers, research partners, and other parties concerned individually to verify facts.
4. Should any act that could be considered misconduct be discovered in the process of the verification of facts conducted pursuant to the preceding paragraph, the audit function shall give necessary instructions to the researcher directly.

Announcement of Audit Results

Article 26. To promote researchers deepening their understanding of the proper utilization of public research funds, etc., the audit function shall, based on the results of audit conducted pursuant to Paragraph 2 of the preceding article, give written guidance to researchers as necessary.

Monitoring

Article 27. The General Management Officer shall, based on reports from the department responsible for planning and promoting the prevention of misconduct, report the progress of plans to prevent misconduct to the Head Administrative Officer.

Administrative Work

Article 28. The Research and Development Center shall supervise all the administrative work pertaining to these Guidelines.

Revision and Abolition of These Guidelines

Article 29. These Guidelines may be revised or abolished only by the President.

Supplementary Provisions:

1. These Guidelines shall be enforced on April 1, 2007.
2. These Guidelines shall be enforced on April 1, 2015, after partial revision.

3. These Guidelines shall be enforced on April 1, 2016, after partial revision.