

(Purpose)

Article 1 These Rules prescribe necessary matters connected with disciplinary action against the students prescribed in Article 55-2 of the Kobe University Academic Regulations (established on April 1, 2004) (including as applied *mutatis mutandis* pursuant to Article 72).

(Definition)

Article 2 The term "Departments, etc." as used in these Rules means a Faculty, Graduate School and other organizations to which students belong.

(Basic Thinking on Student Disciplinary Action)

Article 3 A decision on disciplinary action shall be made by carefully and generally taking into account the circumstances from the viewpoint of educational guidance based on the dishonesty of an act pertaining to a case, accident or the like by a student, the seriousness of the consequence thereof and other factors.

(Acts Subject to Disciplinary Action)

Article 4 Any of the following acts may be subject to disciplinary action:

- (1) an act of violating any of the penal laws and regulations;
- (2) an act of seriously obstructing the education or research activities, or management or operation, of the University;
- (3) an act of destroying the University's reputation or credibility remarkably;
- (4) other inappropriate acts equivalent to those set forth in the preceding items.

(Wrongful Acts in Examinations)

Article 5 A case where a student commits a wrongful act in an examination or the like shall be handled as prescribed by the College of Liberal Arts and Sciences of the Institute for Promotion of Higher Education and Departments, etc., provided that this does not preclude the application of these Rules if the act is judged an act which may be subject to disciplinary action.

(Disciplinary Action Details)

Article 6 The details of disciplinary action shall be as follows:

- (1) admonition: giving advice and cautioning the student about the future in writing;
- (2) suspension from school: suspending the student from school as follows:
 - (a) suspension for a definite period: suspension for a definite period;
 - (b) suspension for an indefinite period: suspending the student for an indefinite period and fixing the time of its cancellation while the University considers the circumstances, such as the effect and the like of guidance;
- (3) disciplinary expulsion: expelling the student from school on order and not allowing him/her to be readmitted.

(Measures during Period of Suspension from School)

Article 7 During the period of suspension from school, the following acts shall not be allowed:

- (1) taking a course of a subject of class or a regular examination;
- (2) taking an examination of a thesis for a degree;
- (3) using a facility or equipment of the University;
- (4) activities at an extracurricular activities group.

2 Notwithstanding the provisions of the preceding paragraph, the following acts shall be allowed even during the period of suspension from school:

- (1) a necessary procedure for taking a course of a subject of class or an examination of a thesis for a degree after the end of the period of suspension from school;
- (2) residing at the University's dormitory or overseas student lodging if the student is not especially ordered to leave it;
- (3) the use of a facility or equipment of the University which the head of a Department, etc. finds especially necessary;
- (4) activities at an extracurricular activity group whose requirement is not being the University's student.

3 The Department, etc. to which the student belongs shall provide guidance for rehabilitation, such as interviews, at its discretion, to a student in the period of suspension from school.

(Cancellation of Indefinite Suspension from School)

Article 8 When the Faculty Council of a Department, etc. to which a student suspended indefinitely from school belongs (including a steering committee or the like as a Faculty Council; the same applies hereinafter) finds it appropriate to cancel the suspension from school for the student as a result of the guidance under the provisions of paragraph 3 of the preceding Article, after six months pass from the effective date of the suspension, the Council may propose the cancellation of the suspension to the President.

2 The President shall cancel the suspension from school based on the proposal referred to in the preceding paragraph.

(Suspension from Attending School)

Article 9 If an act by a student obviously falls within acts subject to disciplinary action, when disciplinary action is to be certainly taken, the head of the Department, etc. may order the student suspended from attending school before disciplinary action is decided. In that case, the period of suspension from attending school may be included in the period of suspension from school.

2 Measures during the period of suspension from attending school shall be measures equivalent to those under the provisions of Article 7.

(Guidance of Head of Department, etc.)

Article 10 When a case, accident or the like of a student is an act at a level which does not deserve disciplinary action, the head of Department, etc. may give a strong warning or other guidance to the student in writing or orally as an educational measure.

(Voluntary Withdrawal/Absence from School)

Article 11 If a student who is deemed to have committed an act subject to disciplinary action makes a request to leave school before disciplinary action is decided, the head of the Department, etc. shall not accept the request.

2 The head of the Department, etc. shall not accept a request for absence from school whose period overlaps with the period of suspension from school after disciplinary action is decided.

(Proposal for Disciplinary)

Article 12 When the head of Department, etc. finds that an act which may be subject to disciplinary action has been committed, the head shall promptly report it to the President.

2 The Faculty Council of the Department, etc. to which a student who has committed the act referred to in the preceding paragraph belongs shall investigate the details of the fact pertaining to the act and shall discuss whether disciplinary action is required or not.

3 If a student has committed the act prescribed in Article 2, item (1) of the Regulations for the Prevention of Harassment, etc. at the National University Corporation Kobe University (established on January 24, 2006; hereinafter referred to as "Regulations"), the investigation and the report as specified in Article 6, paragraph 8 of the Regulations shall be conducted and made instead of the investigation of the details of the fact.

4 In the investigation and discussion referred to in paragraph 2, the director designated by the President may express his/her opinion to the Faculty Council as necessary.

5 When the Faculty Council finds disciplinary action necessary, the Faculty Council shall draw up a report on the investigation of the details of the fact and a proposal for disciplinary action and shall make a proposal for disciplinary to the President.

(Procedure for Disciplinary Action in a Case Connected with Several Departments, etc.)

Article 13 If an act which may be subject to disciplinary action has been committed by several students belonging to different Departments, etc., the Faculty Councils shall communicate mutually and shall make adjustments in the investigation and the discussion of and about the details of the fact.

(Explanation)

Article 14 In conducting an investigation of the details of the fact as referred to in Article 12, paragraph 2, the Faculty Council shall notify the student to that effect to give an opportunity for him/her to give an explanation orally or in writing.

2 In the explanation, the student may submit necessary evidence and may make a request to summon a witness as well as appoint his/her assistant in court to receive the assistance from the assistant.

3 Even though the student is given an opportunity for an explanation, if the student fails to appear without reasonable grounds or fails to submit a written explanation, the student shall be deemed to have waived the right to explanation.

(Decision on Disciplinary Action)

Article 15 When the Faculty Council makes a proposal pursuant to Article 12, paragraph 5, the President shall decide disciplinary action through a discussion by the education and research council (hereinafter referred to as "Council").

2 In a case where an investigation of and discussion about the details of the fact is conducted and held again, when those are found necessary in the discussion referred to in the preceding paragraph, the Council shall apply the provisions of the preceding Article mutatis mutandis.

(Notice of Disciplinary Action)

Article 16 When the President decides disciplinary action, the President shall notify the student of it.

2 A notice of disciplinary action shall be made by delivering a written disciplinary action containing the reason for the action to the student, provided that, when it is impossible to deliver the notice, the notice shall be made by another appropriate method.

(Disciplinary Action Becoming Effective)

Article 17 The effective date of disciplinary action shall be the delivery date of a written disciplinary action, provided that this does not apply in an unavoidable case.

(Records of Disciplinary)

Article 18 When disciplinary action is taken, the details of the action shall be recorded in his/her school register.

2 In a certificate or other document of the state of learning, the details of disciplinary action shall not be mentioned, as a rule.

(Filing of an Objection)

Article 19 When a person who has received disciplinary action has reasonable grounds, including a mistake of fact and finding of new facts, the person may raise an objection to the President in writing within fourteen days from the effective date of the disciplinary action.

2 When the objection referred to in the preceding paragraph is raised, the President shall discuss whether a reexamination is required or not, at a meeting of the Council.

3 When the Council finds a reexamination necessary, the President shall request the Faculty Council to conduct a reexamination.

(Confidentiality Obligation)

Article 20 A staff member who is concerned in a matter connected with disciplinary action against a student shall have an obligation to keep information known to him/her because of holding his/her position in confidence. The obligation shall continue after he/she is relieved of the position.

(Miscellaneous Provisions)

Article 21 Beyond what is prescribed in these Rules, necessary matters connected with disciplinary action against students shall be prescribed separately.

Supplementary Provisions

1 These Rules will come into effect from April 1, 2004.

2 Action and other acts taken and carried out pursuant to the provisions of the Kobe University Student Disciplinary Rules before their repeal by the provisions of the Kobe University Rules on Abolishing Regulations, etc. (established on April 1, 2004) before the enforcement of these Rules shall be deemed to have been taken and carried out pursuant to the provisions of these Rules.

Supplementary Provisions between the original and the latest are omitted.

Supplementary Provisions (March 25, 2024)

1 These Rules come into force as of April 1, 2024.

2 Prior rules and regulations continue to govern the application of disciplinary action taken against an act carried out by a student before the enforcement of these Rules.