

Tokyo International University Foundation
Rules regarding Whistleblowing

Article 1. Purpose

1. The purposes of these Rules are, based on the Whistleblower Protection Act, (1) to provide guidelines for the Tokyo International University Foundation (hereinafter “Foundation”) to respond to whistleblowing or to the seeking of advice, by a Foundation employee, regarding an alleged violation by another Foundation employee of any law, regulation, or Foundation rule concerning any operation of the Foundation, and (2) to establish a system that protects whistleblowers and promptly corrects any violation of a law, regulation, or Foundation rule, so as to foster the development of the Foundation.
2. The Foundation referred to in the preceding paragraph is an organization consisting of (1) schools established by and included in the Foundation and (2) the Corporate Division provided for in Article 4 of the Act of Endowment of the Foundation.
3. Each organization of schools or other organization established by and included in the Foundation shall be referred as a “department.”

Article 2. Definition of Whistleblowing

In these Rules, “whistleblowing” refers to the following actions by a Foundation employee, not acting for any improper purpose: (1) disclosing, within the Foundation or publicly, any action by another employee of the Foundation that violates, or might violate, a law, regulation, or Foundation rule regarding the operation of the Foundation, and (2) the seeking of advice from the Foundation regarding such seeming wrongdoing.

Article 3: Consultation Services Subsection for Whistleblowing

There shall be established within each department of the Foundation a secretariat that shall function as a Consultation Services Subsection to receive whistleblowing information and requests for advice regarding any seeming violation of any law, regulation, or Foundation rule, as mentioned in the preceding Article, and the department’s Chief Administrative Officer (hereinafter “CAO”) shall supervise the receiving of, and acting in response to, said whistleblowing information and requests for advice.

Article 4. Whistleblower

For the purpose of these Rules, a whistleblower is limited to being one of the following:

1. an employee of the Foundation, including faculty members
2. an employee dispatched to work for the Foundation
3. a student or graduate student of the schools established and included in the Foundation

Article 5. Means of Communication with Secretariat

A whistleblower or advice seeker may contact the secretariat in writing, by fax, by e-mail, or in person. However, whistleblowing or advice-seeking made anonymously will not be accepted.

Article 6: Responses to Whistleblowing, etc.

1. If a secretariat receives whistleblowing information or a request for advice regarding a seeming violation of a law, regulation, or Foundation rule, as mentioned in Article 1, the department's CAO must promptly investigate and determine all the facts regarding the matter.
2. In case of the preceding paragraph, any department concerned shall respond to the investigation so made by the CAO in question.
3. The CAO must promptly report the results of an investigation to the head(s) of the department(s) involved.
4. The head of a department referred to in paragraph 3 must report the same to the Chancellor and Chair of the Board of Trustees if the department head deems that such reporting is necessary.

Article 7. Soliciting Opinions from Outside the University

The CAO may solicit the opinions of knowledgeable persons from outside the university if the CAO deems that such opinions are necessary based on the content of the whistleblowing information or request for advice.

Article 8. Matters to be Observed

The CAO and the members of the departments concerned must comply with all of the following when dealing with whistleblowing-related matters.

1. Not to harm the rights or justifiable interests of a whistleblower or any third party.
2. To ensure fairness in investigations, and to prepare investigation-result reports based on all the facts.

3. Not to disclose, for any improper reason, any facts learned about when dealing with a whistleblowing-related matter.

4. To comply with the preceding rule even if no longer employed by the Foundation.

5. To ensure that the member(s) of the department(s) referred to in Article 6 do not participate in investigating, reporting on, or deciding, a whistleblowing-related matter in which the member(s) is/are personally involved as an alleged wrongdoer.

Article 9 Protection of Whistleblowers

1. The Foundation must comply with the Whistleblower Protection Act and all other related laws and regulations, and may not unfairly treat a whistleblower because of his/her whistleblowing.

2. The preceding paragraph shall not apply if the whistleblowing is made for an improper purpose and/or intention.

Article 10 Remedial Measures

If the alleged act(s) that seemingly violate a law, regulation, or Foundation rule is/are confirmed to have taken place, the Chancellor and Chair of the Board of Trustees shall take remedial measures and measures to prevent recurrence of such wrongdoing.

Article 11. Notices to Whistleblower

The CAO must immediately inform the whistleblower (1) that the whistleblowing accusation has been received, (2) whether the alleged act(s) in violation of a law, regulation, or Foundation rule has/have been confirmed to have occurred, (3) about the remedial measures and the recurrence-prevention measures to be taken, and (4) about the punishment, if any, imposed on the wrongdoer.

Article 12 Other Rules

The Foundation may separately provide for additional detailed rules as it deems necessary to implement these Rules.

Article 13. Responsibility for Clerical Work

Clerical work regarding the implementation of these Rules shall be controlled by each department's secretariat.

Article 14. Revision or Repeal

The Chancellor and Chair of the Board of Trustees may revise or repeal any provision of these Rules after a discussion thereof by the Board of Trustees.