

Tokyo University's Response Guideline against Discrimination on the Grounds of Disability

March 23, 2016
Board of Directors Meeting
Tokyo University Regulations No. 64

(Objective)

Article 1

This guideline is based on Article 9-1 of “Act on the Elimination of Discrimination against Persons with Disabilities ” (Law No. 65 enacted in 2013, hereinafter referred to as “the Act”), in line with “Basic Policy on Promotion of Elimination of Discrimination on the Grounds of Disability ” (Cabinet decision set forth on February 24, 2015, hereinafter referred to as “the Basic Policy”), to determine the necessary matters for the faculties of National Universities Corporation Tokyo University (hereinafter referred to as “the University”) to implement appropriate measures.

(Definitions)

Article 2

The terms used in this guideline shall follow the definitions in the Act and the Basic Policy. The terms listed below shall have the meanings defined in the respective items:

(1) Persons with disabilities

Persons with disabilities prescribed in the Basic Act for Persons with Disabilities (Act No. 84 of 1970), i.e. persons with existing physical disabilities, intellectual disabilities, mental disabilities (including developmental disabilities) and other disabilities affecting mental or physical functions (hereinafter collectively referred to as “disabilities”) and who face substantial limitations to their ongoing daily life or social life due to a disability or social barrier.

(2) Faculty

Staff and faculty belonging to the University (including special fixed-term faculties, fixed-term faculties with shortened working hours and special fixed-term faculties with shortened working hours).

(3) Organizations

University libraries, University-wide centers and research institutes established under the Todai Institutes for Advanced Studies, collaborated research institutes, University Academic Organizations, the attached school and attached hospitals prescribed in the University of Tokyo Rules on Basic Organizations, along with the Central Administration, Offices prescribed in Articles 13 and 18 of the Rules.

(The basic policy toward unjust discriminatory treatment on the grounds of disabilities)

Article 3

1. In this guideline, unjust discriminatory treatment constitutes violations of rights and interests by refusing to provide goods and services, restricting the location/time etc. when providing the same, or imposing conditions which do not apply to persons without disabilities etc. without justifiable reasons, thus constituting discrimination toward persons with disabilities. However, special measures necessary to promote or achieve actual equality of persons with disabilities are not unjust discriminatory treatment.

2. The faculty shall not impose unjust discriminatory treatment on persons with disabilities in education/research and other administration or business conducted by the University.

3. The faculty shall note the points to consider, as separately specified by the general supervising responsible officer for the preceding paragraph.

(The basic policy toward reasonable accommodation)

Article 4

1. In this guideline, reasonable accommodation indicates the required and appropriate modification and adjustment to ensure that persons with disabilities enjoy or exercise human rights and fundamental freedoms based on equality with others and needed in particular cases and not imposing any disproportional or undue burden.
2. The faculty shall, when a person with disabilities expressly states their wish for consideration in terms of education/research and other administration or business engaged in by the University, provide reasonable accommodation.
3. The faculty shall, even when a person with disabilities does not expressly state their wish for consideration, if such accommodation is clearly needed by the person in question, strive independently to provide consideration deemed appropriate to the person, such as engaging in dialogue with said person.
4. When the University entrusts, etc. its administration or administration implemented as part of business to a business operator, the University shall endeavor to include reasonable accommodation in the terms of reference, etc.
5. The faculty shall understand that reasonable accommodation is to be provided amid mutual understanding of persons with disabilities and faculty.
6. The faculty shall, concerning issues from paragraph 2 to the preceding paragraph, note the points to consider as separately specified by the general supervising responsible officer.

(Environmental development)

Article 5

The faculty shall endeavor to establish an environment without barriers to an unspecified number of persons with disabilities.

(Development of a consulting system)

Article 6

1. A consulting service to precisely respond to inquiries from persons with disabilities in the University, their families and other persons concerned, shall be as listed in the following items:
 - (1) A faculty in charge of barrier-free support implementation assigned to a department/division providing administration or business to persons with disabilities
 - (2) A barrier-free support office
2. To promote the settlement of disputes involving discrimination on the grounds of disabilities in the University, a Tokyo University Persons with Disabilities Discrimination Case Resolution Committee shall be set up.
3. All necessary matters concerning the Tokyo University Persons with Disabilities Discrimination Case Resolution Committee shall be separately specified.

(Promotion system concerning elimination of discrimination on the grounds of disabilities)

Article 7

An organization concerning efforts to promote elimination of discrimination on the grounds of disabilities in the University shall be as in the following items:

- (1) The head administrative officer

A University President shall be assigned and concerning efforts to promote elimination of discrimination on the grounds of disabilities, the head administrative officer shall control the whole of the University and bear ultimate responsibility as well as guiding the persons listed from the next item to item 4 to appropriately take measures.

(2) General supervising responsible officer

A director (in charge of barrier-free matters) shall be assigned and the general supervising responsible officer shall take measures necessary to promote efforts to eliminate discrimination on the grounds of disabilities throughout the University as well as assisting the head administrative officer.

(3) Supervising responsible officer

A head of department shall be assigned and the supervising responsible officer shall bear responsibilities for efforts to promote elimination of discrimination on the grounds of disabilities in the department in question and take the required measures necessary for the same.

(4) Supervisor

A supervisor may be assigned to the department. A person among the faculty of the department in question designated by the supervising responsible officer shall be assigned and the supervisor shall assist the supervising responsible officer.

(Training/enlightenment to faculty)

Article 8

The general supervising responsible officer shall, to ensure an appropriate response to persons with disabilities or precisely respond to inquiries, etc. from persons with disabilities, promote understanding of disabilities by ensuring awareness of the meaning of the law in the faculty and providing various training, etc. as in the following items:

- (1) To new faculty members, training shall be provided to ensure they understand the basic matters concerning elimination of discrimination on the grounds of disabilities.
- (2) To those newly appointed as supervising responsible officers or supervisors, training shall be provided to ensure they understand the roles required concerning the elimination of discrimination on the grounds of disabilities.
- (3) For the faculty, a manual, etc. necessary to respond appropriately to persons with disabilities shall be developed to promote enlightenment as well as ensuring they understand the characteristics of disabilities.

(Supervision of faculty)

Article 9

1. The supervising responsible officer shall, to promote elimination of discrimination on the grounds of disabilities concerning the department in question, supervise to prevent unjust discriminatory treatment of persons with disabilities, or strive to ensure reasonable accommodation is provided to persons with disabilities, in conformity with the matters listed in the following items:

- (1) By guidance through daily routine, concerning elimination of discrimination on the grounds of disabilities, arouse the attention of the supervising faculty and enhance their awareness of the need to eliminate discrimination on the grounds of disabilities.
- (2) When any inquiry or complaint, etc. is received from a person with disabilities, their family and other people concerned concerning unjust discriminatory treatment or failure to provide reasonable accommodation, swiftly confirm the situation.
- (3) If the need for reasonable accommodation is confirmed, direct the supervising faculty to provide reasonable accommodation appropriately.

2. The supervisor shall, when a problem concerning discrimination on the grounds of disabilities occurs, quickly report to the supervising responsible officer, follow instructions and respond swiftly and appropriately.

(Measures for workers)

Article 10

Measures to eliminate discrimination on the grounds of disabilities taken for workers shall follow the provisions in the Act for Promotion of Employment of Persons with Disabilities (Act No. 123 of 1960) pursuant to Article 13 of the Act.

Supplementary provision

The regulations shall be enforced from April 1, 2016.

Reasons for the establishment

In accordance with the enforcement of the Act related to Promoting Elimination of Discrimination due to Disabilities” (Law No. 65 enacted in 2013), concerning the matters prescribed in Article 7 of the same Act, to specify the procedures necessary for the faculty of the University to respond appropriately.