

March 23, 2016
Decision of general supervising responsible officer

Points of attention regarding the response procedure concerning efforts to promote elimination of discrimination on the grounds of disabilities in the University of Tokyo

Pursuant to the provisions of paragraph (3) of Article 3 and paragraph (6) of Article 4 of the response procedure concerning efforts to promote elimination of discrimination on the grounds of disabilities in the University of Tokyo (Tokyo University Rules No. 64; hereinafter referred to as “response procedure”), the points to note for faculty members of our university are specified as follows:

Terms used in the points of attention shall follow the definitions in the response procedure.

Article 1 Specific concept of unjust discriminatory treatment

1. When determining that treatment differing from that administered to persons without disabilities on the grounds of disabilities is not unjust discriminatory treatment, the following requirements must be met:

(1) Measures deemed necessary to promote equality, provide positive actions and reasonable accommodation, etc.

(2) There are justifiable grounds. If treatment which differs from that provided to persons without disabilities is not provided, it is likely to be detrimental to the rights or interests of persons with disabilities, our university or a third party under certain circumstances (education/research and other administration or business engaged in by our university), etc.

2. When none of the requirements listed in the items of the preceding paragraph is met, treatment differing from that provided to persons without disabilities shall be deemed unjust discriminatory treatment.

3. Where faculty members determine that a justifiable reason applies, it is desirable to explain this reason to persons with disabilities and endeavor to obtain understanding.

Article 2. Specific examples of unjust discriminatory treatment

1. Specific examples that may constitute unjust discriminatory treatment are as in the following respective items. However, the decision on whether they constitute unjust discriminatory treatment shall be determined on a case-by-case basis.

Please note that the information listed in the following items includes examples. Not every case constitutes unjust discriminatory treatment and cases other than those listed in said respective items may constitute unjust discriminatory treatment.

(1) On the grounds of disabilities, refuse examination.

(2) On the grounds of disabilities, refuse admission.

(3) On the grounds of disabilities, bar from a lecture.

(4) On the grounds of disabilities, bar from internal events.

(5) On the grounds of disabilities, refuse admission to student dormitories.

2. The specific examples respectively prescribed in the preceding paragraph constitute treatment differing from that provided to persons without disabilities and when a justifiable reason is confirmed, cases shall not be deemed as constituting unjust discriminatory treatment.

3. The specific examples prescribed in the respective items of paragraph 1 are described as those concerning the learning of students, etc. (including undergraduate students, research students, audit students and special audit students of our university and students, research students, credited auditors, special audit students and special research students of the graduate school and students of the secondary school attached to the Faculty of Education. The same shall apply hereinafter.) and not limited to specific examples, prohibition of unjust discriminatory treatment regulated by law shall apply to the entire administration or business conducted by our university.

Article 3 Specific concept of reasonable accommodation

1. When determining that accommodation is reasonable, the requirements in the following respective items must be noted:

(1) Necessary in certain cases. Due to specific disabilities and under certain circumstances (education/research and other administration or business engaged in by our university), any trouble occurs and improvement of the trouble is assumed by specific consideration.

(2) Appropriateness. When giving consideration, the true nature of education/research and other administration or business engaged in by our university shall remain unchanged.

(3) To avoid imposing an undue burden. When giving consideration, the degree of physical/technical/personnel/systemic burden and cost burden shall be appropriate in light of the scale and financial conditions of the administration or business of our university.

2. When the requirements in the respective items of the preceding paragraph are all satisfied, consideration shall be deemed reasonable.

3. Where faculty members deem consideration as unreasonable, it is desirable to explain the reason to persons with disabilities and endeavor to obtain their understanding.

Article 4 Specific examples of reasonable accommodation

1. Specific examples constituting reasonable accommodation are as in the following respective items. However, reasonable accommodation shall be determined on a case-by-case basis. Please also note that even cases other than those listed in said respective items may constitute reasonable accommodation.

(1) When, due to disabilities and test conditions, ability cannot be evaluated sufficiently, consideration shall be provided such as extending exam time, taking exams in a separate room, seat selection, need for written instructions, adjustment of question setting/answer method, etc.

(2) When students, etc. cannot sufficiently learn at a seat other than a specific seat, due to the disabilities and the classroom environment, priority seating shall be secured in the classroom to hold the class.

(3) When it remains difficult for students, etc. to participate in classes, etc. due to disabilities and the default participation method, the participation method shall be changed to another participation method.

(4) When it remains difficult for students, etc. to complete their assignments due to disabilities

and by the default deadline, the submission deadline shall be extended.

(5) When ability cannot be sufficiently evaluated via the default evaluation method such as a written examination or report, etc. due to disabilities, the evaluation method shall be changed to another evaluation method.

2. The specific examples in the respective items of the preceding paragraph are to describe the requirements in particular cases. No cases shall be deemed reasonable accommodation until confirmed as appropriate and not imposing an undue burden.

3. The specific examples of the respective items of paragraph 1 are cited as examples concerning the learning of students, etc. and beyond the scope of specific examples, the obligation of reasonable accommodation shall apply throughout the administration or business conducted by our university.