

Guidelines for Eliminating Discrimination Against Persons with Disabilities

Purpose

Article 1. In accordance with Act for Eliminating Discrimination against Persons with Disabilities (Law number 65 of 2013; hereinafter Law), the Guidelines for Eliminating Discrimination against Persons with Disabilities (hereinafter Guidelines) aims to stipulate particulars necessary for the appropriate handling, by International Christian University (ICU) faculty and staff (hereinafter Faculty and Staff), of matters prescribed by *the Guideline for Eliminating Discrimination against Persons with Disabilities by Ministry of Education, Culture, Sports, Science and Technology(MEXT)*.

Basic Policy

Article 2. Standing by the principles of the Universal Declaration of Human Rights, ICU shall prepare and maintain an environment in which all students can learn on the basis of equal opportunity, without any discrimination, and with dignity. ICU shall secure opportunities for those with disabilities to participate in learning, teaching, research, and other related activities equally alongside those without disabilities.

Definitions

Article 3. In the context of the Guidelines, the definitions of the following words shall be as stipulated.

- (1) Persons with disabilities: persons with disabilities as stipulated by The Basic Act for Persons with Disabilities (Law No. 84 of May 21, 1970) Article 2, 1, i.e. all those (a) with physical disabilities, intellectual disabilities, mental disabilities (including neurodevelopmental disorders), and other disabilities of the mind and/or body (including disabilities caused by intractable diseases; hereinafter Disabilities); (b) who are subject to considerable limitations in their daily or civic lives on an ongoing basis due to Disabilities and social barriers; and (c) who participate in ICU's educational, research, and other activities.
- (2) Social barriers: matters, systems, customs, notions, and anything else in society that become barriers for persons with disabilities in their daily or civic lives.

Prohibition of Unreasonable Discriminatory Treatment

Article 4. Faculty and Staff shall not engage in unreasonable discriminatory treatment of persons with disabilities, as indicated by the *Points of Note* otherwise provided.

2. In the context of the Guidelines, unreasonable discriminatory treatment is the infringement of

the rights and interests of persons with disabilities with respect to ICU's educational, research, and other activities without legitimate reasons and on the grounds of Disabilities, for example by (a) denying provision of opportunities; (b) limiting places, times, etc. when providing opportunities; or (c) adding conditions that are not applied to persons without Disabilities. To note, special measures necessary for promoting or achieving de facto equality of persons with disabilities are not unreasonable discriminatory treatment.

3. Whether reasons are legitimate (see preceding section) shall not be determined simply based on general or abstract reasons. Instead, legitimacy shall be determined by comprehensively and objectively considering concrete details of each case, keeping in mind the persons with disabilities; the rights and interests of third parties; and the upholding of the purposes/contents/functions of ICU's educational, research, and other activities. If Faculty and Staff determine that there are legitimate reasons, they must explain those reasons to and endeavor to obtain the understanding of the persons with disabilities.

Provision of Reasonable Accommodation

Article 5. If persons with disabilities communicate that they require the removal of social barriers, and removal is not an undue burden, Faculty and Staff must endeavor to provide necessary and reasonable accommodation (hereinafter Reasonable Accommodation) for the removal of social barriers based on the Disabilities, sex, and age of the persons with disabilities in a manner that does not infringe their rights and interests, as indicated by the *Points of Note* otherwise provided.

2. In the context of the Guidelines, Reasonable Accommodation is changes and adjustments that (a) are necessary and appropriate for ensuring that persons with disabilities enjoy or exercise all human rights and fundamental freedoms on the basis of equality with others; (b) are deemed essential in certain cases; and (c) do not impose uneven or undue burdens.

3. Whether burdens are undue (see preceding section) shall not be determined simply based on general or abstract reasons. Instead, whether burdens are undue shall be determined by comprehensively and objectively considering concrete details of each case, keeping the following points in mind. If Faculty and Staff determine that there are undue burdens, they must explain those reasons to and endeavor to obtain the understanding of the persons with disabilities.

(1) Degree of influence on ICU's educational, research, and other activities (whether their purposes/contents/functions will be compromised)

(2) Degree of feasibility (physical/technical/ personnel/system limitations)

(3) Magnitude of expenditures, burdens

(4) ICU's scope, finances, and financial affairs

4. To note, communication is what is transmitted via means that persons with disabilities require

when communicating with others, such as language (including sign language), Braille, writing, and body language. Communication also includes what those who support communication, such as family and caregivers of persons with disabilities, transmit on behalf of persons with disabilities when they have difficulty communicating. Even if there is no communication, if it is clear that the persons with disabilities in question require the removal of those barriers, efforts must be made to propose Reasonable Accommodation deemed appropriate for them.

Preparation of Advising System

Article 6. ICU designates the following as advising centers for appropriately dealing with consultations from persons with disabilities and related persons (such as family).

- (1) Center for Teaching and Learning
- (2) Special Needs Support Services
- (3) Student Services Division
- (4) Faculty and Staff appointed by the president of ICU (desirable to include persons with disabilities)

2. Centers designated in the previous section shall secure and increase Faculty and Staff who deal with consultations as necessary.

Advising Regarding Disputes

Article 7. ICU designates the following as desks for preventing or resolving disputes regarding discrimination on the grounds of Disabilities (unreasonable discriminatory treatment, lack of Reasonable Accommodation, etc.)

- (1) Human Rights Committee
- (2) The Third Person Committee

Information Disclosure

Article 8. ICU shall disclose, via its homepage and so on, support policies, advising systems, cases of Reasonable Accommodation, etc. to prospective students with Disabilities (including short-term students such as exchange students), current students with Disabilities, and so forth.

System for Eliminating Discrimination against Persons with Disabilities

Article 9. ICU's system for Eliminating Discrimination against with Disabilities shall be as follows.

- (1) Chief Executive Director: The president of ICU shall serve as the Chief Executive Director. The Chief Executive Director shall unify ICU; take charge so that the Executive

Director appropriately conducts Elimination Discrimination against Persons with Disabilities; and bear the final responsibility regarding Elimination Discrimination against Persons with Disabilities and environmental improvements therefor (e.g. promotion of barrier-free facilities, deployment of necessary personnel, manifestation of acceptance of and policies regarding both prospective and current students with Disabilities, improvement of accessibility to information).

- (2) Executive Director: The Vice President for Academic Affairs and the University Secretariat Director shall serve as the Executive Director. The Executive Director shall assist the Chief Executive Director; designate the (Special Needs Support Services Director); and take necessary measures regarding Elimination Discrimination against Persons with Disabilities throughout ICU, such as training and edification of Faculty and Staff.
- (3) Director (Special Needs Support Services Director): The Director (Special Needs Support Services Director) shall assist the Executive Director and fulfill the duties prescribed in the following article.

Director's Duties

Article 10. The Director must, for the Eliminating Discrimination against Persons with Disabilities, supervise matters so that unreasonable discriminatory treatment of persons with disabilities does not occur by paying attention to the following items and make an effort so that Reasonable Accommodation is provided to persons with disabilities.

- (1) Promote awareness of Faculty and Staff regarding Elimination Discrimination against Persons with Disabilities and have them deepen their understanding thereof.
 - (2) Quickly confirm the situation when there are consultations, complaints, etc. regarding unreasonable discriminatory treatment and/or lack of Reasonable Accommodation from persons with disabilities.
 - (3) Instruct Faculty and Staff to provide Reasonable Accommodation in an appropriate manner, if necessity of Reasonable Accommodation is confirmed.
2. If problems regarding discrimination on the grounds of Disabilities arise, the Director must report them to the Executive Director and address them quickly and appropriately in accordance with the Executive Director's directions.

Training & Edification

Article 11. ICU shall provide training and edification necessary for Eliminating Discrimination against Persons with Disabilities to Faculty and Staff.

2. ICU shall conduct training of new Faculty and Staff to make them understand basic matters regarding discrimination against Persons with Disabilities and of Faculty and Staff who become Director to make them understand the roles required of them regarding Elimination Discrimination with Persons with Disabilities.
3. ICU shall edify Faculty and Staff by making them understand the characteristics of Disabilities and by preparing manuals, etc. necessary for appropriately dealing with persons with disabilities.

Review of Guidelines

Article 12. ICU shall bear in mind that technological developments, changes in social conditions, etc. can bring about substantial developments in the substance, extent, etc. of Reasonable Accommodation and lighten the burden of providing such accommodation; review the Guidelines as necessary; and amend it in a timely manner. When doing so, ICU shall take into account amassed cases of unreasonable discriminatory treatment and Reasonable Accommodation, etc. and also give consideration to international trends. Also, the Guidelines shall be reviewed when laws and basic policies are reviewed.

Disciplinary Action

Article 13. If Faculty and Staff engage in unreasonable discriminatory treatment of persons with disabilities or do not provide Reasonable Accommodation even when there are no undue burdens, they may be subject to disciplinary action when their conduct is deemed to go against or be neglectful of job duties.