

National University Corporation Kyushu University Rules for Eliminating Discrimination against Persons with Disabilities

Kyushu University Employment Regulation No. 18 of 2015

Established: March 28, 2016

Last amended: March 31, 2022

(Kyushu University Employment Regulation No. 37 of 2021)

(Purpose)

Article 1 The purpose of these Rules is to promote the elimination of discrimination on the basis of disability at National University Corporation Kyushu University (hereinafter referred to as the "University") by providing for matters necessary in order for employees and officers who work at the University to treat persons with disabilities appropriately in line with the Basic Policy for Eliminating Discrimination against Persons with Disabilities (decided by the Cabinet on February 24, 2015) based on pursuant to the provisions of Article 9, paragraph (1) of the Act for Eliminating Discrimination against Persons with Disabilities (Act No. 65 of 2013; hereinafter referred to as the "Act for Eliminating Discrimination").

(Basic Policy)

Article 2 In line with the purports of the Convention on the Rights of Persons with Disabilities (Treaty No. 1 of 2014), the Basic Act for Persons with Disabilities (Act No. 84 of 1970), and the Act for Eliminating Discrimination against Persons with Disabilities, the University shall supervise employees and officers so that they work to eliminate discrimination on the basis of disability, and shall endeavor to secure opportunities for persons with disabilities to be able to participate in education, research, and all the other activities carried out by the University (hereinafter referred to as "education, research, etc.") in a manner equal to persons without disabilities.

(Definitions)

Article 3 In these Rules, the meanings of the terms set forth in the following items are as provided respectively in those items:

- (i) person with disabilities: employees, officers, students and those who participate in education research and any other activity conducted by the University, who have a physical disability, an intellectual disability, a mental disability, higher brain dysfunction, a developmental disability, a disability resulting from an incurable disease, or any other disability affecting the functions of the body or mind, including (hereinafter referred to collectively as "disability") as provided for in Article 2, item (i) of the Basic Act for Persons with Disabilities (Act No. 84 of 1970), and who are in a state of facing substantial limitations in their continuous daily life or social life because of disabilities or social barriers;
- (ii) social barrier: items, institutions, practices, ideas, and other things in society that stand as obstacles against persons with disabilities engaging in daily life or social life;
- (iii) unjust discrimination: violation of the rights and interests of persons with disabilities, without just cause

and on the basis of disability by, including but not limited to, refusing to provide them with opportunities to participate in education, research and any other activity conducted by the University, limiting the places or times at which these opportunities are provided, or imposing conditions that are not applicable to those without disabilities (excluding, however, special measures required to promote or achieve equality for persons with disabilities);

(iv) reasonable accommodation: necessary and appropriate modification and adjustments to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms, which are needed in a particular case and which do not impose a disproportionate or undue burden;

(v) faculty: undergraduate schools, graduate schools, graduate faculties, the Faculty of Arts and Science, the Institute for Advanced Study, attached research institutes, the International Institute for Carbon-Neutral Energy Research, the Hospital, the University Library, the Research Institute for Information Technology, the Platform of Inter/Transdisciplinary Energy Research, Institute for Asian and Oceanian Studies, Centers for Common Education and Research, Centers for Leading Research, the Academic Research and Industrial Collaboration Management Office of Kyushu University, the University Education Innovation Initiative, Offices, Ito Clinic, the Administration Bureau (including the Audit Office), and the Administrative Office.

(vi) preliminary remedial actions: assignment of necessary personnel, as well as improvement of the environment for enhancing accessibility, such as promoting barrier-free and universal design for facilities, equipment, information, etc.

(Prohibition of Unjust Discrimination)

Article 4 (1) Employees and officers, while engaging in their duties, must not violate the rights or interests of persons with disabilities by unjustly discriminating against them on the basis of disability in comparison to those without disabilities.

(2) Employees and officers shall pay attention to the guidelines provided separately so as not to engage in unjust discrimination.

(Provision of Reasonable Accommodations)

Article 5 (1) If employees and officers, while engaging in their duties, are informed by a person with disabilities that the person is currently in need of removal of a social barrier, and the removal of the social barrier does not impose any excessive burden, they must provide the person with reasonable accommodations to remove the social barrier, according to the person's gender, age and disability status, so as not to violate the rights or interests of the person with disabilities.

(2) Even if a person with disabilities does not provide information on the needs as referred to in the preceding paragraph, employees and officers must endeavor to carry out voluntary efforts, such as encouraging constructive dialogue, in order to propose reasonable accommodations as considered appropriate for the person with disabilities if it is obvious that the person is in need of removal of a social barrier.

(3) Employees and officers shall pay attention to the guidelines provided separately when providing reasonable accommodations.

(Preliminary Remedial Actions)

Article 6 The University shall endeavor to take preliminary remedial actions in order to accurately provide reasonable accommodations to individual persons with disabilities on individual occasions.

(Chief Administrator for Elimination of Discrimination against Persons with Disabilities)

Article 7 (1) The University has in place a chief administrator for elimination of discrimination against persons with disabilities (hereinafter referred to as the "chief administrator"), and the President serves in this capacity.

(2) The chief administrator shall supervise and take final responsibility for the operations relevant to the promotion of elimination of discrimination on the basis of disability and the improvement of the environment as required for this purpose (hereinafter referred to as "promotion of elimination of discrimination against persons with disabilities, etc.") at the University.

(General Supervisor for Elimination of Discrimination against Persons with Disabilities)

Article 8 (1) The University has in place a general supervisor for elimination of discrimination against persons with disabilities (hereinafter referred to as the "general supervisor"), and the Executive Vice President in charge of promotion of support for persons with disabilities serves in this capacity.

(2) The general supervisor shall take necessary measures for the promotion of elimination of discrimination against persons with disabilities, such as assigning personnel as needed, providing training to employees and officers, drawing up a policy for accepting persons with disabilities, introducing barrier-free facilities, and improving information accessibility, in cooperation with the related Executive Vice Presidents.

(Supervisor for Elimination of Discrimination against Persons with Disabilities)

Article 9 (1) The University has in place supervisors for elimination of discrimination against persons with disabilities (hereinafter referred to as "supervisors"), and the Faculty Directors serve in this capacity.

(2) The supervisors shall take necessary measures for the promotion of elimination of discrimination against persons with disabilities, etc. at the relevant faculties.

(3) The supervisors must implement the following matters with regard to employees who belong to the relevant faculties:

(i) increase awareness among the employees of the relevant faculties relevant to the elimination of discrimination on the basis of disability, by giving the employees instructions or the like in the course of daily duties, and deepen their recognition of the elimination of discrimination on the basis of disability;

(ii) ascertain the situation promptly in response to requests for consultation and complaints or the like received from persons with disabilities regarding unjust discrimination or unavailability of reasonable accommodations; and

(iii) instruct the employees of the relevant faculties to provide reasonable accommodations for persons with disabilities appropriately upon identifying the need for such accommodations.

(4) If any problem occurs relevant to discrimination on the basis of disability, the supervisors must report it to the general supervisor and take prompt and appropriate measures following the general supervisor's instructions.

(Assistant Supervisor for Elimination of Discrimination against Persons with Disabilities)

Article 10 (1) A faculty may have in place an assistant supervisor for elimination of discrimination against persons with disabilities (hereinafter referred to as an "assistant supervisor").

(2) An assistant supervisor is designated by the supervisor from among the employees of the faculty.

(3) An assistant supervisor assists the supervisor's duties.

(Development of Consultation System)

Article 11 (1) The chief administrator establishes a consultation desk at the University in order to provide proper consultation in response to requests from persons with disabilities, their families and other related persons relevant to discrimination on the basis of disability.

(2) The consultation desk referred to in the preceding paragraph is established as the guidelines provided separately.

(3) The chief administrator shall endeavor to enhance the services of the consultation desk if necessary.

(Investigation and Deliberation for Prevention of Disputes)

Article 12 Investigation and deliberation for preventing or solving disputes relevant to discrimination on the basis of disability are carried out by the Committee for Promotion of Support for Persons with Disabilities.

(Provision of Training and Education to Employees and Officers)

Article 13 (1) For the promotion of elimination of discrimination against persons with disabilities, etc., the chief administrator shall provide the following training and education to employees and officers:

(i) training designed to enable them to understand the characteristics of various disabilities and take appropriate measures for persons with disabilities; and

(ii) education designed to raise their awareness by using manuals and other means as necessary to take measures to promote elimination of discrimination against persons with disabilities.

(2) The chief administrator shall provide persons who have become employees and officers with training designed to enable them to understand basic matters relevant to discrimination on the basis of disability.

(3) The chief administrator shall provide persons who have become supervisors with training designed to enable them to understand the responsibilities and roles required of them relevant to the elimination of discrimination on the basis of disability and other matters.

(4) The chief administrator endeavors to disclose, within inside and outside the University, matters such as support policies, consultation systems, and examples of reasonable accommodations for students, employees and officers who have disabilities, by posting these matters on the website or by other methods, in order to contribute to the efforts to eliminate discrimination on the basis of disability.

(Measures to Eliminate Discrimination on the Basis of Disability)

Article 14 Measures to eliminate discrimination in employment on the basis of disability are as provided in

Article 15 of the Act for Eliminating Discrimination against Persons with Disabilities (Act No. 65 of 2013).

(Measures to Address Violation of These Rules by Employees and Officers)

Article 15 If an employee or officer is considered to have engaged in any act that violates these Rules, the chief administrator shall investigate the case, and if, as a result of the investigation, the employee or officer is found to have engaged in any act that violates these Rules, the President shall take the necessary measures.

(Miscellaneous Provisions)

Article 16 Beyond what is provided in these Rules, necessary matters for the elimination of discrimination on the basis of disability at the University are provided separately.

Supplementary Provisions

These Rules come into effect as of April 1, 2016.

Supplementary Provisions (Kyushu University Employment Regulation No. 12 of 2016)

These Rules come into effect as of October 1, 2016.

Supplementary Provisions (Kyushu University Employment Regulation No. 13 of 2016)

These Rules come into effect as of November 1, 2016.

Supplementary Provisions (Kyushu University Employment Regulation No. 12 of 2017)

These Rules come into effect as of November 1, 2017.

Supplementary provisions (Kyushu University Employment Regulation No. 17 of 2017)

These Rules come into effect as of February 1, 2018.

Supplementary provisions (Kyushu University Employment Regulation No. 17 of 2018)

These Rules come into effect as of February 1, 2019.

Supplementary provisions (Kyushu University Employment Regulation No. 42 of 2018)

These Rules come into effect as of April 1, 2019.

Supplementary Provisions (Kyushu University Employment Regulation No. 2 of 2021)

These Rules come into effect as of May 1, 2021.

国立大学法人九州大学における障害を理由とする差別の解消に関する規程

Supplementary Provisions (Kyushu University Employment Regulation No. 37 of 2021)

These Rules come into effect as of April 1, 2022.