
The Tension Between Reasonable Accommodations and Career Supports for Students with Disabilities in Universities in Japan

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The Tension Between Reasonable Accommodations and Career Supports for Students with Disabilities in Universities in Japan

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Abstract: In this poster presentation we analyzed the tension between reasonable accommodations and career supports for students with disabilities provided by universities in Japan. Through this analysis we clarify that the environment outside universities can affect the availability and content of reasonable accommodations inside universities. In addition, the environmental barriers of society outside universities have negative effects on the possibilities and effectiveness of barrier-free measures, especially reasonable accommodations measures, for students with disabilities in universities.

Keywords: Accommodations; Career Supports; Students with Disabilities

Knowledge Focus: Research/Theory

Topic: Postsecondary Education & Employment

Introduction

In this poster presentation we analyzed the tension between reasonable accommodations and career supports for students with disabilities provided by universities in Japan. Through this analysis we clarified that the environment outside universities can affect the availability and content of reasonable accommodations inside universities. The environmental barriers of society outside universities have negative effects on the possibilities and effectiveness of barrier-free measures, especially reasonable accommodations measures, for students with disabilities in universities.

University faculty members have to provide students with disabilities at least with reasonable accommodations and career supports, which are included in services provided by it. In case of providing career support there is a possibility that universities urge students with disabilities to make efforts so that they can be talented people and make a significant contribution to society after graduation. Thus, the career supports focus on the social activities outside universities. On the other hand, reasonable accommodations are provided for students

with disabilities in order to achieve the equal education opportunities inside universities. Universities have to ensure that they can enjoy the equal opportunities removing social barriers by providing reasonable accommodations. In Japan, the reasonable accommodation duties have been provided in the Act on the Elimination of Discrimination against Persons with Disabilities which was enforced in 2016. There is sometimes tension between these two measures, reasonable accommodations and career supports, for students with disabilities in universities.

Method

Here, we considered the case of a student with Selective Mutism. From the point of view of career supports the university staff would call on the student to continue her efforts to be able to speak in public the same way as persons without disabilities do. On the other hand, from the point of view of reasonable accommodation duties the university staff would respect her difference, and change and coordinate the way she gives a presentation in class. The conflict between reasonable accommodations and career support is regarded as the conflict between two models of disability: the medical model and social model of disability. Career support sometimes requires ‘disabled students’ to adapt to ‘normal society’ as the medical model does. Reasonable accommodations oblige universities to modify the ‘disabling environmental barriers’ as the social model requires. Under the Japanese Disability Discrimination Act a breach of the duty of reasonable accommodations or unfair discriminative treatment occurs when a university staff advised a student with disability that, provides the reasonable accommodation does not make it for you, because there is a possibility that it is not sufficiently provided in society outside the university.

Why would the tension between career supports and reasonable accommodations occur? The reason is that universities think that social barriers outside universities are hardly removed and students with disabilities have to adapt to the ‘normal’ society after graduation. Universities would experience a dilemma as to whether they should provide reasonable accommodations or not. Thus, the deep-seated environmental barriers outside universities are related to the barrier-free policy inside universities. If a barrier-free environment is created in society, outside universities, reasonable accommodations will be provided appropriately in universities.

Authors



Satoshi Kawashima is an associate professor and teaches law at the Okayama University of Science. His research interest is an implementation of the UN Convention on the Rights of Persons with Disabilities. Kawashima was born in Tokyo and received a Doctor of Laws (LLD) degree from Niigata University in 2005 for the dissertation: *Shogaisha no Kokusai Jinken Hosho: sono Rekishi to Kadai* (International Protection of Human Rights and Persons with Disabilities: Recent History and Future Challenges). His specialization is international human rights law and disability law.

Image Description: Photo of Satoshi Kawashima



Miki Nishikura (Ogawa) is an associate professor and teaches sociology at Wakayama University. She received a Doctor of Social Science degree from Ochanomizu University in 2007 for the dissertation. Her specialization is sociology and disability studies.

Image Description: Photo of Miki Nishikura (Ogawa)