Reasonable Accommodation for Students With Disabilities in Japan: A Language Program Administrator's Guide

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Abstract

Starting in April 2024, Japan will mandate that companies offer essential services and infrastructure to support individuals with disabilities. This decree will involve implementing features like having sloped access points for wheelchairs, ensuring information accessibility, and making necessary modifications to ensure equal access to educational opportunities. The Act for Eliminating Discrimination against Persons with Disabilities was amended in May 2021. It will apply to all public organizations, private companies, and even higher education institutions, requiring these entities to provide reasonable accommodation if an individual with a disability makes a specific request. The Japan Student Services Organization (JASSO) has reported a steady increase in the number of students with disabilities (SWDs) that are enrolled in tertiary institutions each year, with data from 2022 revealing that approximately 1.53% of the total student population as SWDs while in 2006, it was listed at 0.16%. In light of this shifting paradigm, language educators and program administrators at Japanese tertiary institutions will continue to face the challenge of providing tailored support systems for these students. This paper aims to provide language practitioners—especially those in an administrative role—with a practical framework for effectively accommodating students with disabilities to meet their specific needs and provide guidance to the instructors in charge of teaching and service learning. It will explore the concept of reasonable accommodation regarding legal obligations and highlight critical areas that must be addressed to ensure adequate support to create an inclusive and accessible learning environment.

Keywords: Reasonable Accommodation, Students With Disabilities, Language Programs in Japan

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Introduction

With the recent legal mandates and amendments, implementing reasonable accommodations for students with disabilities in Japan is becoming increasingly important (Hasegawa, 2015). As Japan prepares to enforce essential services and infrastructure for individuals with disabilities, university administrators and educators must be well-informed and prepared to meet these new requirements (Dyliaeva et al., 2024; Matsuzaki & Shibata, 2022). The amended Act for Eliminating Discrimination against Persons with Disabilities, which will take effect in April 2024, underlines the need for reasonable accommodations in all public agencies, private enterprises, and higher education institutions. This signifies a significant shift in the educational landscape, emphasizing the creation of inclusive and accessible learning environments for students with disabilities.

In this context, language practitioners and administrators must comprehensively understand the legal obligations and practical frameworks for accommodating students with disabilities in Japanese tertiary institutions (Dyliaeva et al., 2024; Young et al., 2019;). This paper aims to provide valuable insights into the concept of reasonable accommodation, explore legal perspectives, and address critical areas that require attention to ensure tailored support and an inclusive learning environment for all students. It will also discuss changes in the number of SWDs within Japanese higher educational institutions and offer language program administrators and educators a framework to accommodate students with disabilities specifically for this context effectively.

Accommodation of Individuals With Disabilities in Japan: Legal Perspectives

The Act for Eliminating Discrimination against Persons with Disabilities was passed in June 2013 as an amendment to the Act on Employment Promotion etc. of Persons with Disabilities (Hasegawa, 2015). The law prohibits discrimination against individuals with disabilities in various aspects of life, including employment, education, and public services. The revised Act, which came into force in April 2016, requires business operators and educational institutions to provide reasonable accommodations to individuals with disabilities upon request. This mandate represents a significant shift from the previous system, which relied on a quota-based approach to employing individuals with disabilities (Boeltzig-Brown et al., 2013).

The Act prohibits discrimination against individuals with disabilities and requires public and private entities to provide reasonable accommodations. While the Act does not explicitly define a "reasonable accommodation," it sets out general principles that organizations must follow. Item 2 of Article 8, Prohibition of Discrimination based on Disability by Companies, states:

> If a person with a disability expresses the genuine willingness to eliminate the social barrier, the company, in carrying out its business, must endeavor to provide reasonable accommodation to implement the elimination of the social barrier so long as the burden associated with the relevant implementation is not disproportionate, in accordance with the sex, age, and state of the disability of the person with a disability so that the rights and interests of the person with the disability is not violated.

The amended Act for Eliminating Discrimination against Persons with Disabilities, which takes effect in April 2024, now mandates that all public agencies, private enterprises, and

higher education institutions must offer reasonable accommodation upon request from individuals with disabilities. This includes provisions for implementing accessibility features such as wheelchair-accessible entry points, ensuring information is provided in accessible formats, and making necessary accommodations to guarantee equal educational opportunities (*Companies in Japan to be required to accommodate the disabled from next year*, 2023).

According to legal experts Otsuki, Nishiuchi, and Shimoda (2024), there are no explicit penalties for failing to provide reasonable accommodations as required by law. However, the relevant government minister may compel a business to disclose specific information if they deem it necessary to enforce the obligation to provide reasonable accommodations. Additionally, a business that neglects to file a report or submits a false report can face a non-criminal sanction of up to 200,000 Japanese yen.

In Japanese higher education, students with disabilities have a right to request reasonable accommodation to ensure equal access and participation in all aspects of their educational experience. Meeting these legal obligations while creating an inclusive environment for all learners is an essential responsibility for language program administrators.

Numbers of Students With Disabilities in Japanese Higher Education

The Japan Student Services Organization (JASSO) has reported a steady increase in students with disabilities enrolled in tertiary institutions in Japan. Data from 2022 indicates that approximately 1.53% of the total student population in Japan were students with disabilities, compared to just 0.16% in 2006 (JASSO, 2023). These figures suggest a growing awareness and acceptance of the need to provide educational opportunities for individuals with diverse needs. The types of disabilities represented in Japanese higher education span a wide range with JASSO's classification of SWDs, under which disabilities fall into eight broad categories: 1) visual impairments, 2) hearing and speech impairments, 3) physical impairments, 4) health impairments, 5) multiple disorders, 6) developmental disorders, 7) mental disorders, and 8) other disabilities (JASSO, 2023).

The types of disabilities and the total number of SWDs enrolled in Japanese higher educational institutions reported to JASSO have shifted dramatically in recent years. In 2006, of the 4,937 students reported to have a special need, 3,461 students, or 70.1%, fit into the three categories of visual impairments, hearing and speech impairments, and physical impairments (JASSO, 2007). By 2014, of the 14,127 students reported, the number of students in these three categories accounted for 4,898, or 34.7% of the total SWDs (JASSO, 2015). In 2022, of the 49,672 SWDs accounted for, only 4,811, or approximately 9.7%, were classified under the three categories (JASSO, 2023). Students in these three categories have remained relatively consistent over the years.

On the other hand, an analysis of the JASSO data indicates an increasing trend in the number of students classified under health impairments, mental disorders, and developmental disorders. In 2006, students classified under these headings accounted for 1,383 or 28% of SWDs enrolled in Japanese tertiary institutions. According to JASSO, in 2014, a total of 8903 students with disabilities were classified into three groups: health impairments, others, and developmental disorders (JASSO, 2015). These three categories accounted for 63.1% of all students with disabilities for this year. Prior to 2014, impairments such as psychiatric, mental, and intellectual disabilities were collectively categorized as "Others." In 2015, a new distinct category called "Mental disorders" was established to encompass psychiatric, mental, and

intellectual problems (JASSO Outline 2023-24). In 2015, adding the new category resulted in students with disabilities making up 72.7% of the total student disability population, amounting to 15,781 students (JASSO, 2016). In 2022, the combined total of students falling into these three categories reached 39,604, accounting for 79.7% of the total student population with disabilities in higher education institutions in Japan (JASSO, 2023).

Kondo et al. (2015) explain that it is probable that a considerable number of students with disabilities (SWD) have been enrolled in postsecondary education throughout Japan for an extended period. The recent increase in documented SWD enrollment may be attributed to a broader societal consciousness regarding disabilities. Given this shifting landscape, language educators and program administrators at Japanese universities will continue to face the challenge of delivering tailored support systems to meet the specific needs of students with disabilities. Providing reasonable accommodations and creating an inclusive learning environment is a legal requirement and an ethical imperative to ensure equitable access to educational opportunities.

The Author's Circumstances

The author currently serves as an administrator for an English-language program at a Japanese university. English as a Foreign Language is currently required for all first-year university students. Depending on the major, some students will continue to take required English classes in their second year. Each year, the institution strives to accommodate students with disabilities or special needs in an inclusive classroom environment.

Critical Components for an Effective Accommodations Framework

A practical framework for accommodating students with disabilities (SWDs) in a language program should incorporate key components outlined below. First, it should establish a transparent process for identifying students' needs and disabilities, including gathering detailed information about the nature and extent of their specific challenges. (Rodríguez, 2009)(Young, 2020) This will enable the program to develop tailored accommodations and support strategies.

Second, the framework should outline procedures for coordinating with the institution's disability services office, academic advisors, and relevant faculty to ensure a collaborative, whole-campus approach to supporting SWDs.(Izzo et al., 2001)(Young, 2020)(Hope, 2021) This coordination is crucial for streamlining accommodations, sharing information, and providing consistent support across the student's academic experience.

Third, the framework should include guidelines for training language instructors on effective teaching strategies, such as the Universal Design for Learning principles. (Universal Design as a Framework for Diversity, Equity, and Inclusion Initiatives in Higher Education, 2022). Equipping teachers with the knowledge and skills to create accessible and inclusive learning environments is essential for SWDs to thrive.

Fourth, the framework should incorporate continual evaluation and improvement mechanisms, such as feedback loops with SWDs, instructors, and other stakeholders. (Young, 2020)(Lowrey & Smith, 2018)This will allow the program to identify and address any gaps or shortcomings in the accommodations provided. This iterative process helps ensure that support systems remain relevant and responsive.

Fifth, the framework should include elements of self-advocacy training for SWDs, empowering them to understand their rights, communicate their needs, and actively participate in the accommodations process. (Cole & Cain, 1996) Simultaneously, it should incorporate service learning or experiential opportunities for non-disabled peers to foster greater disability awareness and inclusion. *Service learning* is a pedagogical approach that combines community service with academic learning, intending to enhance students' understanding of course content and foster a sense of civic responsibility (Furco & Norvell, 2019). By incorporating these key components, language programs can develop a proactive and responsive framework to provide reasonable accommodations and create an inclusive learning environment for students with disabilities (Cole & Cain, 1996; Young, 2020).

Finally, the framework should be flexible and adaptable, allowing customization to meet the unique needs of individual SWDs and the evolving legal and institutional requirements. By incorporating these key components, a language program can develop a comprehensive and practical accommodations framework to support students with disabilities.

Proposed Framework for Accommodating SWDs: Planning and Implementation

A holistic accommodations framework can provide a structured approach to addressing the diverse requirements of SWDs at the tertiary level. This type of framework should strive to eliminate environmental challenges and barriers to learning by considering a range of factors, including accessible course materials, assistive technologies, and specialized instructional strategies. The author suggests a distinct framework for the inclusive teaching of SWDs that incorporates elements for service learning, drawing on Young et al. (2019) and Young's (2020) eight-point framework for accommodating students with disabilities in language programs. The framework is designed to meet the special needs of students enrolled in a sequence of tertiary-level English as a Foreign Language (EFL) programs or in an EFL classroom. This framework's portability will vary depending on the nation, the institution, and the unique needs of each student. However, it was created to assist other educators who might be facing a situation similar to this one as a coordinator of a foreign language program or a language program. Specifically, the framework addresses how the university and its administrative and teaching staff can better serve and accommodate students with disabilities inside and outside the classroom.

Step 1: *Gather Information and Survey the Resources Available*
The individual responsible for coordinating efforts to assist SWDs must become acquainted with the institutional policies supporting these types of students during the initial stage of the framework. Concurrently, the individual should evaluate the legal requirements of any particular country. In certain instances, new laws may be amended and implemented after a specific calendar date. Moreover, the coordinator for students with disabilities (CSWD), hereafter referred to as CSWD, should ascertain which offices or individuals within the higher education institution are accountable for various responsibilities, including the support of SWDs, course registration, academic advising, the direction or management of student volunteers, and the resolution of issues or complaints. Furthermore, the CSWD should become acquainted with the campus layout, seating arrangements for specific classrooms, and the available assistive technologies. Lastly, the CSWD should familiarize themselves with the language program's objectives and aims and the textbooks or course materials used by the SWDs enrolled in the course or courses.

Step 2: *Get to Know the University Staff and Teaching Staff Members of the Institution*

One of the goals at this point is to establish relationships and foster trust with key individuals at the Support Office so that SWDs can work directly with them. If the CSWD gets to know these people, the institution may have a better chance of offering synchronous and aligned accommodations for SWDs. Another crucial aspect is to clarify specific roles, clearly define the assigned tasks, coordinate efforts and language-instruction-related adjustments within each institutional category, and identify the individuals accountable for these responsibilities. By doing so, the CSWD can proactively identify any institutional issues or administrative obstacles that may arise in advance. This allows for determining whether linguistic or cultural obstacles to communication could impede or slow communication. Occasionally, locating an individual with multilingual and cross-cultural skills who can effectively navigate communication barriers between different departments and divisions may be necessary.

Knowing the institution's faculty would be another crucial step and component for the CSWD. The person determining which teacher will instruct the SWD should ideally have experience in supervising roles and a good understanding of the unique talents, personalities, and temperaments of the language instructors who work there. In certain instances, the CSWD could already be in a supervisory position of the EFL instructors. In other cases, these two roles might be separated. If the CSWD does not know the program's instructors well, they must ask someone better acquainted with them for guidance or insight for teacher assignments. Interjecting another stakeholder will add another layer of coordination and communication to the entire process. This highlights the importance of administrators and their teaching staff maintaining regular contact and being consistently observed. In addition to serving as a tool for providing instructional feedback and professional development, it also emphasizes the significance of regular teacher observations and evaluations in fostering trust and connections among staff members.

Step 3: *Meet, Interview, and Learn About the Student With the Disability or Personal Circumstances*

The objective of this stage is to establish communication and cultivate an ongoing relationship with the student with the assistance of the Office for Student Support. The CSWD would meet with the student to obtain additional information about their disability, long-term academic and professional objectives, and other relevant aspects of their life (such as the duration of their commute to the university). This information would determine the appropriate class or language program placement for the student. Concurrently, the CSWD must assess the student's language competency in the targeted instructional language to make a well-informed decision about which class to assign them.

At this point, it is crucial to obtain information on the student's previous educational background and the specific language learning activities or general coursework they were involved in throughout high school or junior high. Simultaneously, identifying the specific assistive technology the students are most familiar with can aid the CSWD and the language teacher assess and determine the most effective means of accommodating the student. It should be noted that in certain instances, students may want to be discreet or may not necessarily offer a response. It is essential to record any collected data to be passed on and utilized in the following stages specified in this framework to assist SWDs.

Step 4: *Select an Appropriate Teacher and Assemble a Support Team for the SWD-Teacher Tandem*

During the subsequent phase of the support framework, the CSWD should begin the process of choosing a suitable teacher to collaborate with the particular SWD. The college-level language classroom will provide an inclusive educational environment where students with disabilities (SWD) will be integrated with their peers. Before enrollment, the student's language competence level should be assessed to establish the appropriate class and textbook level. Subsequently, the CSWD should select the most appropriate instructor by considering the optimal match for the student. According to Young et al. (2019), it is advisable to choose an instructor for students with disabilities based on their previous experience dealing with such students, their competence in the first language, their overall behavior and attitude, their gender, and the duration of their tenure in the program. Typically, a first-year teacher unfamiliar with the program would not be the most suitable candidate, as they would be required to develop most of their lesson plans from the start. An instructor with greater experience and a longer tenure in the program would be a better match for a pairing. The CSWD should be mindful that the instructor's workload must also be considered, including the frequency of class meetings and the length of each session. A class that convenes two or three times per week needs more time to strategize, modify the curriculum, and accommodate SWDs than a class that meets just once a week. Before assigning the duty of teaching the SWD, the CSWD, in conjunction with other program administrators, should directly correspond and meet with the instructor and provide them with any pertinent information. If feasible, the language program should look for ways to reduce the teaching workload or other program-related obligations for that specific instructor.

After the instructor has been assigned, the CSWD should assemble a support team consisting of staff members from the Support Office and registrar's office, departmental administrators associated with the student, other language program administrators, and instructors with previous experience working with students with disabilities. The team can collaboratively assess, often in consultation with the student, which adjustments can be implemented and to what degree to best suit the individual's needs.

Step 5: *Create a Student-Specific Educational Plan Tailored to the Needs of the Student With Disabilities*

The CSWD should arrange a meeting with the support team members to specify the adjustments or interventions required for the specific student to assist them in achieving lesson or course objectives (Young et al., 2019). The data collected during the initial interview with the student will be valuable in this decision-making process for creating a customized educational plan that is suitable for the specific student. Simultaneously, the CSWD and teacher team should remain cognizant of the possibility that specific elements may require modification or fine-tuning at any point over the semester. The teacher should also consider suitable forms of homework assignments or assessment methods for the student. The student's proficiency in using particular assistive technology will significantly impact their ability to successfully complete an assignment or project. The student may occasionally require assistance or direct guidance outside of class to effectively handle a program's functionality or use a device.

An additional crucial factor to take into account will be guaranteeing the accessibility of information throughout the lesson. Before the start of the scheduled class sessions and the semester, it is essential to convert class textbooks, handouts, visual materials, PowerPoint slides, and audio files into textual data based on a student's specific needs. In Japanese higher

education institutions, the Student Support Center is frequently tasked with converting written information into computerized data. Depending on the required transcribing time, the office will request the instructor to send files one or two weeks before the scheduled lesson. Alternatively, they may inquire about the specific pages from the textbook that will be needed for a specific lesson day on short notice.

Consequently, the educator must consistently have their lesson ideas planned in advance. Simultaneously, the lesson plans must be meticulously designed and managed to ensure that students with SWDs can actively engage in the lessons. Additionally, teachers may be required to deconstruct specific textbook assignments into additional steps to facilitate students' comprehension. They will be required to predetermine the appropriateness of the task before the lesson day and make a deliberate decision regarding its inclusion or exclusion in the lesson plan's sequence.

Step 6: *Facilitate Day One and Week One Interactions*
As the semester commences, the CSWD should facilitate the initial point of contact between the assigned teacher and the support staff through email or in person. The CSWD can initially be an intermediary between the Student Support Office and the instructor. However, the ultimate objective is for the instructor and the Student Support Office to be able to communicate directly with one another. The more direct the communication between the parties, the more efficient the process can be.

Another crucial responsibility of the CSWD is facilitating communication between SWDs and their assigned teacher for the semester or year. Whenever possible, it is beneficial for the CSWD to facilitate a face-to-face meeting between the instructor and the student before the first class. This allows them to establish a connection and get to know each other. This will enable all parties and stakeholders to better understand one another prior to the commencement of the class, including the other students present in the classroom on the first day. It will also enable students to become acquainted with the instructor's vocal qualities, appearance, or other characteristics.

Similarly, it will enable the instructor to gain a more comprehensive understanding of the student's condition and inquire about their preferences regarding how they would like to be addressed during the class. It can also promote informational exchange or be used as an opportunity to explain essential information about the class in advance. This can also serve as an opportunity for the student and the instructor to engage in a dialogue regarding the course's expectations and other aspects, including pacing, course themes or content, assignment submission, and methods for conducting tests or other forms of assessment throughout the semester.

Step 7: *Monitor the Progress of SWDs and Teachers Throughout the Semester or Year*
After the course commences, entrusting the teacher-student partnership and regularly checking in on the teacher and student regarding the course's progress is essential. During the semester, the customized educational plan developed in Step 5 can function as a blueprint and be modified or altered in response to new challenges or issues. Young et al. (2019) suggest that observing the instructor and teacher at various stages of the semester, including the first few weeks of the course and the midpoint, is beneficial. The CSWD must maintain the current course of action if the teacher-student tandem performs well. Nevertheless, it will be crucial to consult with the support team in Step 4 of the framework and make the necessary adjustments if things are not going well or a specific issue arises. The function of student

volunteers in the classroom would also be an ideal opportunity to be discussed. It would also be a prime opportunity to assess how other EFL students interact or embrace their classmates as peers.

Step 8: *Provide Opportunities for the Student and the Assigned Instructor to Reflect and Receive Feedback*

At the conclusion of the semester, the CSWD will conduct an interview with the student to collect information on the effectiveness and shortcomings of their learning experiences. This comprises various aspects such as the pace at which individual lessons are conducted, the order in which tasks and language activities are arranged, the ease of accessing the content in textbooks and other handouts used in the class, the level of interaction among peers through pair work and group work, the quality of instructions and explanations provided by the teacher, the level of difficulty of the language presented in the textbooks or class materials, the level of complexity or simplicity in completing assignments, the appropriateness of assessment measures (for example, whether the tests were excessively challenging or manageable, whether the student had sufficient preparation for what was expected, etc.), and the student's personal preferences and experiences in the class, including any problems or issues encountered during enrollment. The information provided by the students should be recorded, along with any details on attendance and grades. Depending on the specific circumstances, this interview can either involve the student and teacher together or be performed separately with additional officials or university staff members.

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The CSWD should initiate a conversation with the teacher after the semester to analyze, ascertain, and record the successful aspects and major obstacles encountered in integrating the SWD into the course. This can enhance the teacher's process of introspection and prove beneficial, particularly if the educator has the same student in their class for the subsequent semester. It is important to compile and analyze the exchanges with the teacher, their insights, and any acquired knowledge or advice. Subsequently, this material may be disseminated to other educators participating in the program and beyond who may have SWDs enrolled in their classrooms. Administrators might concurrently integrate these initiatives with forthcoming professional development and training prospects for university workers and language program instructors.

Other Considerations Towards Successful Implementation

In addition to the systematic steps outlined above, language program administrators should consider a few additional factors when providing reasonable accommodations for students with disabilities.

First, it is essential to recognize that students with disabilities are not a uniform group, as the nature and severity of their disabilities can vary considerably. As such, the accommodations required by each student may be unique and will need to be tailored accordingly (Cole & Cain, 1996; Young, 2020).

Second, it is important to maintain open and ongoing communication with students, instructors, and other stakeholders throughout the process. This will help ensure that any issues or concerns are addressed promptly and that the accommodations meet the student's needs (Mamboleo et al., 2015).

Third, if a specific student needs to take several classes over the year or semester, the responsibility of teaching the SWD should be shared with multiple instructors. This would prevent a single instructor from becoming overburdened and ensure that the student's needs are consistently met across their courses.

Fourth, embrace or instill the concept of "*yo-yu*" (余裕）when utilizing a framework for accommodating SWDs. In Japanese, this word or concept can be roughly translated as "surplus," which means having enough room or ample time to adjust to a situation. This would potentially allow for things such as:
- Emotional leeway for accepting differences or the way things are;
- Room for error or flexibility to adapt or modify;
- Time to spare (to have conversations, plan, and implement ideas);
- Time for self-reflection and;
- Ample time for accounting for the "unexpected."

In order to effectively support students with disabilities, teachers and administrators need to have enough time and effort to plan and collaborate. They also require additional time to meet and work with the students. It is important to understand that creating and implementing an individualized accommodation plan involves building trust and getting to know each other. Additionally, depending on the specific needs of students with disabilities, administrators should consider reducing teaching loads or finding other ways to lessen responsibilities for teachers. The workload adjustment would give teachers the time to plan, make adjustments, and try out different aspects of their teaching.

Fifth, teachers and students should proactively seek ways to incorporate and harness assistive technologies to support SWDs (Courtad & Bouck, 2013; Greer et al., 2014). For example, screen readers, text-to-speech software, and other accessibility tools can greatly benefit students with visual or learning disabilities. Program administrators should ensure that such technologies are readily available and that faculty and students are trained on their proper use and integration into the curriculum (Belova, 2017).

Finally, language program administrators should strive to create an inclusive and welcoming environment for all students, regardless of their abilities. This may involve providing training and resources for instructors, promoting disability awareness among the student body, and

ensuring that the physical and virtual learning spaces are accessible (Jain et al., 2020; Wright & Meyer, 2017).

Conclusion

Providing reasonable accommodations for students with disabilities in language programs is a legal and ethical necessity. By following the systematic approach outlined in this guide, language program administrators can develop and implement effective accommodation plans tailored to the individual needs of students with disabilities. The implementation of reasonable accommodations not only helps to meet the challenges that students encounter, but it also benefits teaching staff by alleviating concerns and addressing barriers, including the stigma surrounding hidden disabilities (Edwards et al., 2022). Maintaining open communication, fostering an inclusive culture, and recognizing each student's unique strengths and challenges are key to this process.

Fostering a culture of collaboration and partnership among language educators, students, and disability service providers can significantly improve supporting students with disabilities in language education programs. By promoting collaboration, educators can effectively establish support systems to meet the diverse needs of students with disabilities (Hewett et al., 2017). As more students with diverse abilities enter higher education, language programs must be proactive in their efforts to support and empower all learners. The author hopes that university language programs and administrators can embrace the concept of "yo-yu" as they work to provide inclusive, adaptive, and responsive learning environments for students with disabilities.

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