

Comparative Analysis of Disability Support in Thailand and Japan: Legal Frameworks, Institutional Approaches, and the Current Status in KOSEN

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The purpose of this study is to compare the legal frameworks and support systems for students with disabilities in Thailand and Japan, with a particular focus on KOSEN. While Thailand has established comprehensive laws promoting inclusive education and reasonable accommodation, interviews with Japanese faculty members at Thai KOSEN revealed a gap between institutional policy and actual practice. Specific challenges include the lack of formal individualized education plans, minimal accommodation requests at the time of admission, and a reliance on individual teachers' discretion. In contrast, Japanese KOSEN follow legally mandated procedures, and over 50% of students with disabilities receive support. However, even in Japan, some students hesitate to request accommodations, leading to delays. This study clarifies both the alignment and the disconnect between legal frameworks and on-site practices in Thailand, providing a basis for future considerations regarding more effective support implementation.

Keywords: *Disability Support, Inclusive Education, KOSEN, Disability Rights*

Introduction

Thailand has achieved economic growth through industrial agglomeration and the liberalization of trade within ASEAN. The country needs structural transformation to ensure further development. The Thai government launched the "Thailand 4.0" policy in 2015, aiming to advance industrial sophistication and value-added production by promoting infrastructure development and investment in key industries (Oizumi, 2017). It is essential to foster engineers with advanced expertise and practical skills, leading to the establishment of two KOSENs in Thailand. In order to ensure uniformity in education, the curriculum was designed based on the Model Core Curriculum used in Japanese KOSEN (Aburatani, Kano, Komatsu, Uehara, Teawchim, & Sittichivapak, 2023).

In recent years, the number of students with disabilities in Japanese higher education institutions has been increasing. As a result, universities and colleges are

required to improve campus support systems and provide reasonable accommodations through institutional collaboration (Japan Student Services Organization, 2024). However, several challenges remain, including stagnant support provision rates, difficulties in accumulating expertise due to fixed-term employment of support staff, and insufficient specialized responses for students with developmental disorders (Japan Student Services Organization, 2019).

Given these challenges in Japan, similar issues may arise in the Thai KOSEN system. Currently, two KOSENs are operating in Thailand based on the Japanese education model. Understanding the similarities and differences between the support systems in Japan and Thailand could offer meaningful insights for developing effective support frameworks in Thai KOSENs.

This study aims to examine the legal systems for disability support in Thailand and compare them with those in Japanese KOSEN. It also investigates the current status of disability support in Thai KOSEN through interviews with Japanese teachers who have teaching experience at Thai KOSEN.

Methods

Four official documents (Constitution of the Kingdom of Thailand, 2017; Royal Thai Government, 2007; Royal Thai Government, 2008/2013; Notification of the Committee for the Promotion of the Provision of Education for Persons with Disabilities on Criteria, Rates, and Categories of Educational Subsidies in Higher Education, 2018) concerning disability and education in Thailand were translated into Japanese and analyzed to ascertain their provisions. Two Japanese teachers who have teaching experience at Thai KOSEN were interviewed about the status of enrollment and support for students with disabilities in Thailand.

Results

(1) Principles of Equality and Education in the Kingdom of Thailand and situation

The Constitution of the Kingdom of Thailand declares that all citizens shall be equally protected under the law, and individual rights, freedoms, and equality must be respected (Constitution of the Kingdom of

Thailand, 2017). Furthermore, the government is obligated to ensure access to free and quality education for all children from preschool through twelve years of compulsory schooling. It must also support educational expenses for those in financial difficulty and promote lifelong learning. In this way, Thailand guarantees the right to education for all citizens, regardless of disability status (Constitution of the Kingdom of Thailand, 2017).

In actual practice at Thai KOSEN, it has been reported that students who face learning difficulties related to disabilities—such as delays in academic progress or challenges in interpersonal relationships—receive support through counseling and individualized learning assistance. These practices are generally consistent with the constitutional principles of ensuring continued access to education.

(2) The Rights of Persons with Disabilities

In 2007, Thailand enacted the Persons with Disabilities Empowerment Act (พระราชบัญญัติส่งเสริมและพัฒนาคุณภาพชีวิตคนพิการ) to improve the quality of life for persons with disabilities. The Act aims to prohibit discrimination against persons with disabilities and to guarantee equal participation in society. It specifies the responsibilities of national and local government agencies, as well as the private sector, to ensure access to medical care, education, employment, social activities, and reasonable accommodation in public services and facilities (Royal Thai Government, 2007).

The Act defines a "person with a disability" (คนพิการ) as someone who has impairments in vision, hearing, mobility, communication, mental or emotional condition, behavior, cognition, learning, or other functions that limit participation in daily life or social activities, and thereby requires special support (Royal Thai Government, 2007). Registered individuals are eligible to receive a variety of supports, including rehabilitation services, assistive devices, sign language interpretation, guide dogs, tuition exemptions, and access to education and political participation. Tax benefits and financial assistance are also provided in accordance with individual needs.

However, these institutional supports are not always fully utilized in practice. According to interviews, students with disabilities and their families tend to be reluctant to request accommodations proactively. Few students request support upon admission, and their difficulties often become apparent only after enrollment. Interviewees noted that rather than relying on formal institutional support, accommodations are often provided on a case-by-case basis in response to academic difficulties. This suggests that systematic, legally grounded support is not yet fully established at Thai KOSEN.

(3) Legal framework of Educational Support for Students with Disabilities

The Act on the Provision of Education for Persons with Disabilities (พระราชบัญญัติการจัดการศึกษาสำหรับคนพิการ), enacted in 2008 and amended in 2013, was introduced in

response to the need for legal arrangements regarding the education of persons with disabilities. This Act ensures that individuals with disabilities, whether from birth or later diagnosed, have the right and opportunity to receive educational services and special support throughout their lifetime. It serves as a fundamental law to enable comprehensive support for persons with disabilities at all levels and in all types of educational systems (Royal Thai Government, 2008).

The Act also addresses inclusive education, defining it as an approach that enables persons with disabilities to study within the general education system. All educational institutions under government jurisdiction are required to provide both inclusive and specialized education based on individualized education plans (Royal Thai Government, 2008).

These plans are intended to address individual special educational needs and must specify instructional guidelines, assistive technologies, learning materials, and support services. All educational institutions are obligated to create such plans and are required to review and update them annually.

The Act and its amendment establish a legal and institutional foundation to ensure equal educational opportunities for persons with disabilities while receiving special support. It forms the legal basis for inclusive education in Thailand.

Interviews revealed that some efforts are being made at KOSEN, such as adjusting teaching methods and classroom seating according to the needs of students. However, these responses are not part of a formal institutional system. Information about accommodations tends to be shared verbally and in meetings, without official documentation. As a result, discrepancies in support among teachers have been observed. This highlights a gap between legal mandates and educational practices on the ground.

(4) Admission Obligations of Higher Education Institutions

All higher education institutions under government jurisdiction in Thailand are legally obligated to admit a certain proportion and number of students with disabilities. Refusing admission based on their disability is considered unjust discrimination (Notification of the Committee for the Promotion of the Provision of Education for Persons with Disabilities on Criteria, Rates, and Categories of Educational Subsidies in Higher Education, 2018).

Interview findings indicate that the actual enrollment of students with disabilities at KOSEN is low. Students do not submit any requests for accommodations at the time of admission. However, some students experience difficulties during their studies, for example, in completing assignments or interacting with others, which reveals their need for support. In such cases, KOSEN faculty members provide individualized assistance for students.

Discussion

Legal Framework and Implementation of Support in Japan: In Japan, the Act for Eliminating Discrimination against Persons with Disabilities came into effect in April 2016. This law obligates elementary, secondary, and higher education institutions to provide reasonable accommodation to students with disabilities as necessary (Cabinet Office, Government of Japan, 2013). According to Article 2 of the Convention on the Rights of Persons with Disabilities, “reasonable accommodation” refers to necessary and appropriate modifications and adjustments that do not impose a disproportionate and undue burden, to ensure that persons with disabilities can enjoy and exercise all human rights and fundamental freedoms on an equal basis with others.

Under this framework, students and their guardians must apply for support, and the specific accommodation measures are determined through consultation with the institution.

In higher education institutions, various forms of support are provided to enrolled students with disabilities. In 2021, the support rate for students with disabilities (i.e., the proportion of those receiving support among all students with disabilities) was 53.4%, an increase from 45.7% in 2006. However, it has been pointed out that many students with disabilities have difficulty in articulating their needs (Matsuzaki, 2022). In this case, it is difficult for students to seek support, potentially delaying the start of necessary accommodations (Japan Student Services Organization, 2022).

Comparison of Disability Support in Japan and Thailand and Identified Issues: Although Thailand has established a comprehensive legal framework for supporting students with disabilities, several challenges remain in its practical implementation. Support-related information is mainly shared verbally rather than formally documented. Additionally, although reasonable accommodation is clearly stipulated in the law, support at KOSEN tends to rely on the discretion of individual teachers rather than being provided through an institutionalized system. Furthermore, although students are procedurally able to apply for accommodations at the time of admission, such applications are rarely submitted.

Conclusions

This study compared the legal framework for disability support in Thailand with the actual practices of educational support implemented at KOSEN, in order to examine the consistency between institutional systems and on-site practices. The findings indicate that, although legal structures related to educational equality and reasonable accommodation are relatively well established in Thailand, the actual support provided at KOSEN tends to rely on individualized, case-by-case responses.

It is important to further consider effective support strategies. It is also necessary to analyze the

characteristics of the disability support system at KOSEN in Japan and identify practices that can be adapted.

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