

ANALYSIS OF POLICIES AND PRACTICES OF FULFILLING THE RIGHT TO INCLUSIVE EDUCATION FOR PERSONS WITH DISABILITIES IN CIREBON CITY BASED ON REGIONAL REGULATION NUMBER 10 OF 2023

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Abstract. *This study aims to examine the Fulfillment of Educational Rights for Children with Disabilities in Cirebon City according to the title, especially from a review of Regional Regulation Number 10 of 2023 concerning facilitation and protection for people with disabilities in Cirebon City, and answer questions that formulated as follows: How to regulate the rights of people with disabilities to the right to education in Cirebon City. What efforts has the Cirebon city government made to fulfill the rights of people with disabilities to education in Cirebon? And what are the access and participation rates for children? People with disabilities are making substantial efforts to obtain education in Cirebon City, aiming to realize equality and justice in education. This study employs an empirical and normative method, utilizing a case study research approach. Data collected through interviews, observations, and documentation was then analyzed using descriptive analysis methods. A study reveals that access to education for children with special needs in Cirebon City has increased due to government efforts to improve facilities, train teachers, and disseminate policies. This is in line with Regional Regulation Number 10, 2023, concerning the facilitation of the protection of persons with disabilities. However, there are still challenges, such as inadequate facilities and a lack of understanding within society, that need to be addressed to achieve full inclusivity and realize equality and justice in education.*

Keywords: Education, Rights, Persons with Disabilities, Discrimination, Protection Facilitation.

1. INTRODUCTION

Essentially, children are considered a gift from the Creator that requires care, appreciation, and protection. Every individual born has value and dignity that must be recognized, including children who need guidance from adults.¹ This principle is reflected in Article 28b of the 1945 Constitution of the Republic of Indonesia, which affirms "the fundamental rights of children, such as the right to protection from violence and discrimination, civil rights, the right to health, the right to education, and the child's social rights."² Therefore, there is no reason whatsoever that can legalize violations of children's rights, because these rights are an inseparable part of Human Rights that are guaranteed both nationally and internationally.

The amended 1945 Constitution of the Republic of Indonesia affirms that Indonesia is a state based on law. One characteristic of a state based on law is the guarantee and protection of human rights for its citizens. All conceptions of the rule of law proposed by thinkers on the state and law consistently prioritize the idea of protecting human rights as a primary characteristic.³

Education is a fundamental right of every citizen without exception, including for students with physical, intellectual, emotional, and/or social disabilities. This is affirmed in Article 31 of the 1945 Constitution and reinforced in Law Number 20 of 2003 concerning the National Education System. To achieve a fair and equal education system, the Indonesian government issued Regulation of the Minister of National Education (Permendiknas) Number 70 of 2009 concerning Inclusive Education, which aims to provide quality educational services to children with special needs (ABK) in regular schools.

People with disabilities or people with different abilities are often known as "differently abled people" or now known as "people with disability." Other terms that were previously known include "disabled people," "people with disabilities," or "abnormal people." Along with developments in the international community, there has been a paradigm shift in the terms, objectives, and scope of people with disabilities. This change was legally stipulated internationally on December 13, 2006, by the United Nations General Assembly which issued resolution number A/61/106 concerning *the Convention on the Rights of Persons with Disabilities* (Convention on the Rights of Persons with Disabilities). People with disabilities are often overlooked in legal developments and also in participation in legal development, making their access to justice vulnerable⁴.

In another aspect, Regional Regulation Number 10 of 2023 concerning the facilitation of protection for persons with disabilities emphasizes that every child, without exception, has the right to receive proper education and social assistance

¹Vincensia Mutiara Rengganis, "Policy Analysis in the Formation of Law Number 35 of 2014 Concerning Child Protection," *Journal of Democracy and National Resilience* 2:1 (March 2023):74.

²"1945 Constitution Article 28B Concerning Child Protection Based on Human Rights".

³Bachtiar, "The Urgency of Providing Legal Aid for Poor Communities by the Regional Government: A Case Study of South Tangerang City," *Research by Lecturers at the Faculty of Law, Pamulang University* 3:2 (2019): 1–2.

⁴Dewi Gede Sudika Mangku, "Legal Protection for Children with Disabilities Regarding the Right to Education in Buleleng Regency," *Udayana Master of Law Journal* 9:2 (July 2020): 353–355.

without discrimination based on their disabilities. This is in line with the 12-year compulsory education program in force in Indonesia which aims to realize optimal social integration and individual development for children with disabilities. As explained in Regional Regulation Number 10 of 2023 concerning the facilitation of protection for persons with disabilities, Article 17 paragraph (1) letter a which reads "embrace religion and beliefs and worship according to their religion and beliefs." Therefore, Regional Regulations guarantee the rights of persons with disabilities to receive education and practice worship according to their beliefs ⁵.

In short, special education is defined as education that is exclusive to certain groups that are separated from other groups. The ambiguity in the legal norms mentioned in Article 10 paragraph 1 is that the implementation of the obligation to fulfill the right to justice and legal protection gives educational institutions the freedom to accept or reject students with disabilities, or direct them to special schools specifically for students with disabilities. ⁶.

Reported from open data. Jabarprov states that in the city of Cirebon in 2018, there were 112 people with physical disabilities, 52 people with visual/blind disabilities, 99 people with hearing/speech disabilities, 62 people with mental/spiritual disabilities, 28 people with physical and mental disabilities, and 36 people with other disabilities. The total number of people with disabilities in the city of Cirebon is 389. This number shows the large number of people with disabilities in the town of Cirebon. ⁷.

This research aims to examine how the policy is implemented and to what extent its implementation reflects the principles of inclusivity and non-discrimination in the education sector.

2. RESEARCH METHODS

As the type of research used by the author is normative and empirical legal research, the data sources and legal materials used for the research are as follows:

1. Data source

In legal research, there are two types of data required: primary data and secondary data.

1) Primary data

Primary data was obtained through direct interviews and observations, involving related parties such as:

- a. Cirebon City Education Office
- b. Principals and teachers from schools that provide inclusive education
- c. Special Assistant Teacher (GPK)
- d. Parents or guardians of children with disabilities

⁵Cirebon City Regional Regulation Number 10 of 2023 concerning facilitation of protection for persons with disabilities, Article 17 paragraph 1 letter a.

⁶Alghifari Akhmad Noor, "Implementation of the Fulfillment of Educational Rights for Persons with Disabilities According to Law of the Republic of Indonesia Number 8 of 2016 Concerning Persons with Disabilities," Thesis, Faculty of Law, Pasundan University, 2023, 1–8.

⁷West Java Open Data, "West Java Open Data [https:// Opendata .Jabarprov. Go.Id/Id/ Dataset/ Number-of-Disabled-Population-Based-on-Disability-Categories-in-West-Java](https://Opendata.Jabarprov.Go.Id/Id/Dataset/Number-of-Disabled-Population-Based-on-Disability-Categories-in-West-Java)." 2020, (Accessed June 20, 2025).

- e. (If possible and ethical) The child with a disability himself/herself
- 2) Secondary Data
According to Soerjo Soekamto, secondary data is data that includes official documents, books, and even research results in the form of reports. Soerjono Sukamto states that secondary data is data that includes official documents, books, and research results in the form of reports.⁸Secondary data is obtained from library research, which includes:
 - a. Cirebon City Regional Regulation Number 10 of 2023
 - b. Law Number 8 of 2016 concerning Persons with Disabilities
 - c. Law Number 20 of 2003 concerning the National Education System
 - d. Regulation of the Minister of Education and Culture of the Republic of Indonesia concerning Inclusive Education
 - e. Journal articles, books, and other supporting documents

Data collection techniques are the processes or methods used to gather information, facts, or data from various sources in the context of research, studies, surveys, or analysis. The goal is to collect relevant, accurate, and evidence-based data to answer research questions or achieve specific research objectives.

It is essential to plan and select data collection techniques relevant to the research objectives. This is a crucial step in the research process, as the collected data will form the basis for the analysis, findings, and conclusions. The quality of the collected data is crucial to ensuring accurate and relevant research results. Therefore, selecting and implementing appropriate data collection techniques is key to a successful research process.

Qualitative case study research designs can employ a variety of data collection approaches. The following strategies can be used to collect data in a case study research design:

- a. Observation

Observation is a data collection technique used to gather data from sources such as places, activities, objects, or recorded images.⁹The observations were conducted directly at the Education Office in Cirebon City.

- b. Interview

An interview is a conversation with a specific purpose. This means it's conducted by two parties: the interviewer, who asks questions, and the interviewee, who answers those questions.¹⁰Interviews will be conducted in stages with several parties, including officials from the Cirebon City Education Office, inclusive school teachers, parents of children with disabilities, children with disabilities, and the local community.

⁸Soejono Soekamto, 2007, Introduction to Legal Research, UI Press, Jakarta, p. 12.

⁹Farida Nugrahani, " *Qualitative Research Methods in Language Education Research* ", (Solo: Cakra Books, 2014), pp. 3-4

¹⁰Lexy J. Moleong, " *Qualitative Research Methodology* " (Bandung: Remaja Rosdakarya, 2017), p. 280.

c. Documentation

Documentation is the process of gathering data about a topic, which typically includes both textual data and images. Interviews with relevant members related to the research objectives involve the use of this technique.

3. RESULTS AND DISCUSSION

A. The Reality of Fulfilling the Rights of Persons with Disabilities to the Right to Education in Cirebon City.

The implementation of educational rights for persons with disabilities in Cirebon City, based on observations and interviews with schools, parents, and Education Office officials, shows positive progress but has not fully met the expectations mandated in regulations, especially Cirebon City Regional Regulation Number 10 of 2023 concerning Facilitation of Protection of Persons with Disabilities.

Normatively, Regional Regulation No. 10 of 2023 guarantees the right to inclusive education by stipulating that regional governments are obligated to provide inclusive education facilities at all levels, prepare special accompanying teachers (GPK), ensure the accessibility of disability-friendly educational facilities, and conduct regular educational guidance, training, and evaluation.

Table 4.1 1 of Names of Inclusive Schools in Cirebon City

No	School name	Level	Information
1	Samadikun State Elementary School	Elementary School	One of the pioneering inclusive elementary schools in Cirebon
2	Gunungsari Dalam State Elementary School	Elementary School	Including inclusive elementary schools since the beginning of the West Java program
3	Islamic Boarding School State Elementary School	Elementary School	Has accepted light ABK as part of the inclusive program
4	Cangkol Tiga State Elementary School	Elementary School	Involved in inclusive education in Cirebon
5	Sida Mulya State Elementary School	Elementary School	Certified as a local inclusive elementary school
6	Kesenden State Elementary School	Elementary School	Inclusion program selon local research sources
7	Sada Ibu State Elementary School	Elementary School	There are more ABK students than regular students
8	Sada Ibu Inclusive Junior High School	JUNIOR HIGH SCHOOL	The first official inclusive junior high school in Cirebon City
9	Smart Auladi Elementary School (Private)	Elementary School (Private)	Private inclusive school for mild ABK
10	State Junior High School 15 Cirebon	JUNIOR HIGH SCHOOL	Involved in secondary education inclusion programs

11	State Junior High School 1 Cirebon	JUNIOR HIGH SCHOOL	Commitment to diversity in the learning environment
12	State Junior High School 8 Cirebon	JUNIOR HIGH SCHOOL	Registered in Dapodik as an inclusive school

The data above lists 12 schools in Cirebon City, based on various current and official sources in the field that are already known to the Cirebon City Education Office.

However, in reality, implementation is still uneven across all educational institutions in Cirebon City. Inclusive schools are only available in a few locations, such as Kesenden Elementary School, Samadikun Elementary School, and Cirebon 15 Junior High School. 11. The limited number of inclusive schools results in many children with disabilities having to attend schools far from their homes or attend special schools (SLB).

Most regular schools lack disability-friendly facilities. Physical accessibility limitations persist, such as the lack of wheelchair ramps, stairs without ramps, and toilets that are not adapted to the needs of those with disabilities. This results in students with disabilities experiencing mobility and comfort constraints during the learning process.

One of the primary challenges is the shortage of educators who understand inclusive education approaches. Teachers in regular schools generally haven't received specific training in teaching methods for students with special needs, such as those with autism, visual impairments, hearing impairments, or *learning difficulties*. Although local governments have organized inclusive teacher training, the number of participants and the frequency of training remain very limited. In some schools, children with disabilities are only guided by homeroom teachers without specialized support who comprehensively understand their needs.

Stigma persists in schools and the surrounding community toward people with disabilities. Some parents have expressed concerns that the presence of children with disabilities could disrupt their children's learning. This creates a psychological barrier for students with disabilities and also hinders schools from building welcoming, inclusive systems.

However, some schools demonstrate a positive acceptance of students with disabilities. At Kesenden Elementary School, for example, teachers and students demonstrate a high degree of openness and adaptability in supporting the learning process of students with disabilities.

The Cirebon City Government, through the Education Office, has developed a roadmap for the development of inclusive schools and organized a GPK training program. Furthermore, community involvement, such as the Cirebon Disability Communication Forum (FKDC), is actively involved in providing assistance, advocacy, and education to parents and educators. However, budget constraints and suboptimal cross-sector coordination hinder the acceleration of comprehensive inclusive education implementation in Cirebon City.

¹¹Interview with the Head of the Cirebon City Education Office, July 2025.

B. Efforts carried out by the Cirebon city government in fulfilling the rights of people with disabilities to education in the city of Cirebon.

The research results show that the Cirebon City Government has taken several progressive steps to fulfill the right to education for people with disabilities. These steps include the enactment of Cirebon City Regional Regulation Number 10 of 2023 concerning the Facilitation of Protection for People with Disabilities, which serves as the legal basis for integrating inclusive education services into the formal education system in Cirebon City¹².

The government, through the Cirebon City Education Office, has also encouraged regular schools to become inclusive by providing teacher training, developing adaptive curricula, and providing infrastructure to support the needs of students with disabilities.¹³ Furthermore, collaboration with disability communities and organizations, such as the Indonesian Association of People with Disabilities (PPDI) of Cirebon City, continues to be enhanced through public dialogue and their involvement in Musrenbang (Development Planning Meeting) activities.¹⁴

However, the reality is that the implementation of this policy is not entirely equitable. There are still schools that are unable to accept students with special needs due to limited human resources and infrastructure.¹⁵ Regional Regulation Number 10 of 2023 serves as the primary basis for ensuring the rights of people with disabilities, including access to education. With this regulation, the Cirebon City Government is obligated to organize inclusive education, allocate an inclusive education budget, and develop specialized training programs for educators. This follows the mandate of Law No. 8 of 2016 concerning Persons with Disabilities and Regulation of the Minister of Education and Culture No. 70 of 2009 concerning Inclusive Education.

Several elementary and junior high schools in Cirebon City have begun implementing an inclusive system. The Education Office is encouraging schools to provide disability-friendly learning spaces and providing teachers with training in educational psychology for children with special needs. However, the minimal number of special assistant teachers (GPK) is a significant obstacle to implementing this system¹⁶.

The Education Office also collaborates with communities of people with disabilities to identify real needs on the ground. This is done through consultative forums such as the Inclusive Education Communication Forum (FKPI). and the involvement of PPDI (Indigenous Children's Empowerment and Child Protection) in the Musrenbang (Regional Development Planning Forum). This is crucial to

¹² Cirebon City Government, *Cirebon City Regional Regulation Number 10 of 2023 concerning Facilitation of Protection of Persons with Disabilities*, 2023.

¹³ Cirebon City Education Office, *2023 Inclusive Education Annual Report*, Cirebon: Cirebon City Education Office, 2024

¹⁴ Indah Tri, "PPDI Cirebon City Demands Various Rights Related to Persons with Disabilities," *Rakyat Cirebon*, 10 February 2025

¹⁵ Fahmi Labibinajib, "Public Facilities for the Disabled Are Still Minimal in Cirebon City," *Detik Jabar*, July 21, 2024.

¹⁶ Rayah Al-Islam et al., "Management of Inclusive Education in Holistic Elementary School Awliya Fahmina Cirebon," *Rayah Al-Islam*, vol. 8, no. 3, 2024.

ensure that policies are not merely top-down but also responsive to the needs of people with disabilities. Even with existing policies, obstacles such as budget constraints, a lack of inclusive infrastructure, and a lack of understanding of the meaning of inclusive education remain significant challenges. Inadequate outreach has resulted in many children with disabilities still not being enrolled in formal schools¹⁷.

The Cirebon City Government has taken several strategic steps to fulfill the right to education for people with disabilities, particularly through Regional Regulation No. 10 of 2023 and the transformation of inclusive education. However, to ensure genuine equality, budget increases, teacher training, the development of inclusive facilities, and stricter oversight of implementation at the educational unit level are needed.

CONCLUSION

Based on the results of research on the Analysis of Policies and Practices for Fulfilling the Rights of Inclusive Education for Persons with Disabilities in Cirebon City, the following conclusions can be drawn:

- a. The Reality of Fulfilling the Rights of Persons with Disabilities to the Right to Education in Cirebon City. The fulfillment of the right to inclusive education for people with disabilities in Cirebon City has shown significant progress, particularly through the introduction of new regulations and the establishment of inclusive schools. Government support, educator training, community involvement, and positive social attitudes in schools have all contributed to strengthening inclusivity. However, barriers such as limited physical facilities, a shortage of special education staff, and social stigma remain major obstacles that must be addressed immediately to achieve truly inclusive and equitable education for all children.
- b. Efforts made by the Cirebon city government in fulfilling the rights of people with disabilities to education in the city of Cirebon.
 1. Cirebon City Regional Regulation No. 10 of 2023 contains quite progressive provisions to guarantee the rights of persons with disabilities, including in education. This regulation serves as the legal basis for local governments, educational institutions, and the community in realizing equitable and just inclusive education.
 2. The implementation of the right to inclusive education in the field has not been fully optimal. Although some schools have implemented an inclusive education system, various obstacles remain, such as:
 - a. Lack of number and competence of special assistant teachers (GPK)
 - b. evenly disability-friendly
 - c. Lack of understanding and training for educators regarding inclusive education
 - d. Inter-agency coordination is still weak and has not been optimally integrated.

¹⁷ Zia Muzdalifah, *Fulfillment of the Right to Education for Children with Disabilities in Cirebon City according to Regional Regulation Cirebon City No. 10 of 2023*, Bachelor's Thesis, UIN Syekh Nurjati Cirebon, 2024.

REFERENCE

- Alghifari Akhmad Noor, "Implementation of the Fulfillment of Educational Rights for Persons with Disabilities According to Law of the Republic of Indonesia Number 8 of 2016 Concerning Persons with Disabilities," Thesis, Faculty of Law, Pasundan University, 2023, 1–8.
- Bachtiar, "The Urgency of Providing Legal Aid for Poor Communities by the Regional Government: A Case Study of South Tangerang City," Research by Lecturers at the Faculty of Law, Pamulang University 3:2 (2019): 1–2.
- Dewi Gede Sudika Mangku, "Legal Protection for Children with Disabilities Regarding the Right to Education in Buleleng Regency," Udayana Master of Law Journal 9:2 (July 2020): 353–355.
- Cirebon City Education Office, *2023 Inclusive Education Annual Report*, Cirebon: Cirebon City Education Office, 2024
- Fahmi Labibinajib, "Public Facilities for the Disabled Are Still Minimal in Cirebon City," *Detik Jabar*, July 21, 2024.
- Farida Nugrahani, " *Qualitative Research Methods in Language Education Research* ", (Solo: Cakra Books, 2014), pp. 3-4
- Indah Tri, "PPDI Cirebon City Demands Various Rights Related to Persons with Disabilities," *Rakyat Cirebon*, 10 February 2025
- Lexy J. Moleong, " *Qualitative Research Methodology* " (Bandung: Remaja Rosdakarya, 2017), p. 280.
- West Java Open Data, "West Java Open Data <https://opendata.jabarprov.go.id/id/dataset/number-of-disabled-population-based-on-disability-categories-in-west-java>." 2020, (Accessed June 20, 2025).
- Cirebon City Government, *Cirebon City Regional Regulation Number 10 of 2023 concerning Facilitation of Protection of Persons with Disabilities*, 2023.
- Cirebon City Regional Regulation Number 10 of 2023 concerning facilitation of protection for persons with disabilities, Article 17 paragraph 1 letter a.
- Rayah Al-Islam et al., "Management of Inclusive Education in Holistic Elementary School Awliya Fahmina Cirebon," *Rayah Al-Islam*, vol. 8, no. 3, 2024.
- Soejono Soekanto, 2007, Introduction to Legal Research, UI Press, Jakarta, p. 12.
- Article 28B of the 1945 Constitution concerning Child Protection Based on Human Rights".
- Vincensia Mutiara Rengganis, "Policy Analysis in the Formation of Law Number 35 of 2014 Concerning Child Protection," Journal of Democracy and National Resilience 2:1 (March 2023):74.
- Interview with the Head of the Cirebon City Education Office, July 2025.
- Zia Muzdalifah, *Fulfillment of the Right to Education for Children with Disabilities in Cirebon City according to Regional Regulation Cirebon City No. 10 of 2023*, Bachelor's Thesis, UIN Syekh Nurjati Cirebon, 2024.