

REGIONAL GOVERNMENT POLICY IN IMPROVING WELFARE HONORARY TEACHER IN INDRAMAYU

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Abstract. *This research examines the policies of the Regional Government of Indramayu Regency aimed at improving the welfare of honorary teachers. Formulation of the problem in this research: (1) How are honorary teachers arranged in Indramayu district? (2) What is the Indramayu government's policy in improving the welfare of honorary teachers? This research employs a Positivist or Doctrinal legal paradigm, utilizing normative research methods. Data was obtained through a literature study by examining statutory regulations, such as Law Number 14 of 2005 concerning Teachers and Lecturers, as well as regional policies relating to honorary teachers. The research results show that the regulation of honorary teachers in Indramayu Regency is based on national policies which emphasize protection, recognition and improving the welfare of teaching staff. Additionally, the Indramayu Regency Government has implemented a policy utilizing School Operational Assistance Funds (BOS) in accordance with Minister of Education and Culture Regulation Number 6 of 2021. BOS funds can be used to pay honorary salaries for honorary teachers with a maximum allocation of 50% of the total funds, as a step to improve their welfare. However, in reality, it has not been possible to improve the welfare of honorary teachers evenly.*

Keywords: *Policy, Honorary Teachers, Welfare*

I. INTRODUCTION

As social creatures, humans cannot live alone. Humans need each other, which forms the basis of social life in society. Community life can run well if there are rules that regulate various aspects of community social life. Society needs a forum to fulfill its social needs, so the state was formed. According to the 1945 Constitution of the Republic of Indonesia, the purpose of establishing the state is to advance the general welfare of all people. To create a just, prosperous, and harmonious society based on Pancasila and the 1945 Constitution, the government must undertake both moral and material development. Development can be carried out well by educated people. So, education for people as citizens is a necessity.

Indonesia cannot maintain a stable state without education. Therefore, education is a genuine concern. The 1945 Constitution of the Republic of Indonesia mandates every citizen to obtain education, which is reflected in the state's goal, namely "Educating the Life of the

Nation". This is also a priority program in Development 5 (Nawa Cita 5), namely, improving the quality of life for the Indonesian people and society. (Romdin, 2020).

The elements of education include students, educators, learning process interactions, educational objectives, educational materials, educational tools and methods, and the educational environment. Effective learning involves conscious effort and interaction with the environment, resulting in changes in behavior across cognitive, affective, and psychomotor domains (Faizah, 2020). All of these elements must be carefully considered so that educational goals can be successful. Teachers play a critical role in the world of education; it could even be said that the success or failure of education in a country depends on the quality of its teachers. The function of a teacher is that of an educator, guide, director, trainer, assessor, and evaluator for their students. From the various functions of teachers, it is evident that they play a significant role in the educational process. The quality of education depends on the quality of the entire learning series, which is primarily determined by the quality of the teacher.

Indonesia needs qualified teachers to improve the quality of education. Global competition demands human resources who can compete and have high fighting power. Teachers are one of the key factors that determine the success of Indonesian education. However, educational problems are complex and require a significant amount of time, considerable energy, and substantial resources to overcome.

According to a news release by SindoNews.com, the survey results from the Program for International Student Assessment (PISA) indicate that Indonesian students' reading ability is still below average, at 371, which is far behind the OECD average of 487. In the mathematics category, Indonesia got a result of 379, while the OECD average score was 487. In the science category, Indonesia scored 389, while the OECD average score was 489. Based on this fact, the OECD suggests that there is a need to improve Indonesia's education system (Sindo, 2019).

Ni Luh Gede Erni Sulindawati, in the *Ilmiyah* journal, "Analysis of elements of past education as a basis for determining the direction of learning policies in the era of globalization," wrote that entering the 21st century, the wave of globalization is felt to be very strong and open. With advances in technology, the world feels more open, allowing us to easily compare the education systems of various countries, which raises awareness that Indonesia lags in the quality of education, both formal and informal. (Sulindawati, 2018). Education is a key factor in increasing Indonesia's human resources, enabling them to compete with those in other countries.

Technology brings many conveniences, which can bring benefits, but also drawbacks. For example, advertising online is much more profitable than advertising in newspapers or on television. With the internet, shopping has become easier and more convenient. On the other hand, the temptation to shop is much greater, so that people who are unable to control themselves can fall into a consumerist lifestyle. News or information can be easily accessed, including both educational and misleading news. For example, scientific information will make people smarter, while pornographic content, for example, will poison the minds of those who access it and cause many negative things.

The description above makes us aware that the task of educators/teachers has become much more difficult. Teachers must be able to direct their students so that technological

advances can have a positive impact on education and avoid negative influences. Teachers need full concentration, long hours, strong energy, and a considerable amount of material to carry out their duties. So that their duties can be carried out effectively, teachers must no longer be preoccupied with matters of fulfilling their welfare. So it is the government's responsibility to ensure the welfare of teachers.

Teachers in Indonesia consist of teachers registered as ASN/PNS, PPPK teachers, and teachers who are not registered as ASN (non-PNS) nor PPPK (honorary teachers). The welfare of teachers who are registered as ASN, PPPK is, of course, guaranteed by the state. Meanwhile, for teachers who are not registered as ASN, their welfare is not fully covered by the state.[5] According to the 1945 Constitution of the Republic of Indonesia and Law No. 9 of 1999, Article 3, paragraph 2, concerning Human Rights (HAM), every human being has the right to recognition, guarantees, protection, and fair legal treatment, as well as legal certainty and equal treatment before the law. Following divine teachings, humans are held to the same duties and positions before God Almighty. Humans were created by God Almighty (Allah SWT) as *khalifah fil 'ardl*, who is in charge of managing and maintaining the universe. Humans must be merciful (showing grace to the whole world) by creating peace and prosperity.

Humans are endowed with human rights by Almighty God to ensure honor, dignity, glory, and prosperity in fulfilling all their life's needs. This right also applies to teachers, whether they have civil servant, PPPK, or honorary status, because they have the same duties and responsibilities. In carrying out their duties, civil servant teachers are required to prioritize the public interest and avoid personal, group, or class interests (Sanusi & Utomo, 2020). However, in reality, a welfare gap still often exists between PNS and PPPK teachers and honorary teachers, which requires more attention to create justice for all parties.

The right to welfare for teachers, which should be granted after they have fulfilled their obligations, is a human right inherent in them and universal. Therefore, human rights, including the rights of teachers, must be protected, respected, and not disregarded or compromised by anyone. The Indonesian nation is obliged to uphold the dignity and respect for the human rights of all people, including honorary teachers. The welfare of honorary teachers should be borne by the state, just like the welfare of civil servant teachers. Nevertheless, in reality, there are still many honorary teachers whose welfare is not guaranteed.

II. RESEARCH METHODS

The research method employed in this study is based on the Positivist or Doctrinal legal paradigm, which emphasizes the analysis of applicable legal rules. The type of research employed is normative research, which relies on the study of library materials or secondary legal materials as the primary basis for investigating a problem (Fajar & Achmad, 2017). The research approach applied includes a statutory approach, as well as regulations from the Minister of Education and Culture and the Regent, along with literature studies, to obtain a deeper understanding of the issues studied.

The technique for collecting legal materials in this research was conducted through a literature study utilizing secondary data. This secondary data consists of primary legal materials, such as Law Number 14 of 2005 concerning Teachers and Lecturers, as well as several government regulations and related regent regulations. In addition, secondary legal

materials, including literature, legal scholars' opinions, books, papers, and relevant journals, are utilized to support the analysis. Tertiary legal materials, such as dictionaries and legal encyclopedias, are also used as additional references to enhance understanding of the legal concepts employed.

The analysis of legal materials for this research employs qualitative analysis methods, where the collected legal materials are processed into systematic information that can be comprehensively understood. The analysis was conducted by tracing statutory regulations and other library sources, which were then presented descriptively. Descriptive research is a form of research aimed at describing or explaining existing phenomena, including both natural phenomena and human-made engineering (Moleong, 2016). This approach aims to provide solutions to the legal problems studied by prioritizing an in-depth study of applicable and relevant regulations.

III. RESEARCH RESULT

Arrangements for Honorary Teachers in Indramayu

1. Law No. 14 of 2005 concerning Teachers and Lecturers

Law No. 14 of 2005 concerning Teachers and Lecturers is a formal government policy that guarantees the legal protection and welfare of teaching staff. This law emphasizes that teachers and lecturers are professionals whose welfare must be taken into account, including in terms of salary, allowances, and a feeling of security at work. With legal protection and financial support, teaching staff are expected to work professionally, creatively, and enjoyably (Wartoyo & Prasetyo, 2023).

The welfare of teaching staff is obtained through academic qualifications, compensation, and certification. In the education system, educators play an important role in determining the quality of education. The history of education in Indonesia reveals various policies and management strategies implemented from the independence era to the present day, aimed at creating a competitive and superior education system. Effective education policy necessitates the active participation of educators, administrators, and cross-departmental collaboration to enhance the quality and efficiency of educational management (Cahyati et al., 2024).

A quantitative policy approach can enhance rationality in public sector decision-making, including education policy, by breaking down macro problems into operational issues. For example, the problem of education quality can be broken down into the quality of teachers, students, management, educational processes, infrastructure, and comparisons between countries. Next, policy analysis focuses on these components to produce policies that complement each other in addressing the overall problem of education quality, with each resulting impact organized into a single, integrated concept.

At a time when the quality of Indonesian Education is questioned, teachers are considered one of the factors that contribute to the low quality of Education in Indonesia, given that Indonesia has educators who are among the leading figures in the world of Education. The quality of Indonesian Educators is considered low. This is based on the fact that many Educators do not meet the required qualifications and competencies. This condition is also

often associated with a low level of well-being. Many teachers lack the necessary qualifications and competencies, which directly impacts the quality of education (Wisdom, 2022).

The Teachers and Lecturers Law was established to enhance national education, both in terms of quality and quantity, thereby ensuring that Indonesia's human resources are more reliable, creative, innovative, productive, and knowledgeable. Nation. The quality improvement of national education refers to the National Education System, Qualifications and Competencies of Teachers and Lecturers, Standards of the curriculum used, and other relevant aspects. Regarding educators, the importance of professional educators who meet the qualification standards is regulated in Article 8 of Law No. 14 of 2005 on Teachers and Lecturers, which states that they must possess academic qualifications, competence, and certification. Spiritual, as well as can realize the objectives of National Education.

Law no. 14 of 2005 concerning Teachers and Lecturers regulates the rights, obligations, protection, and professional development of teachers. Teachers' obligations include planning and implementing high-quality learning, continuously developing competencies, being objective, and upholding legal values and national unity. Teachers also have the right to a decent income, protection in carrying out their duties, opportunities to improve competence, freedom to organize, and a sense of security. By fulfilling these rights and obligations, teachers are expected to prepare students to become a generation capable of adapting to the demands of the times.

2. Minister of Education and Culture Regulation No. 6 of 2021 concerning Technical Instructions (Juknis) for Regular BOS Elementary School, Middle School, High School, and Vocational School in 2021

Minister of Education and Culture Regulation no. 6 of 2021 explains that Regular BOS Funds are used to finance non-personnel expenditure for primary and secondary education units in the context of implementing the compulsory education program. BOS funds are divided into three types, namely Regular BOS Funds for students' operational needs, Affirmation BOS Funds for schools in disadvantaged areas, and Performance BOS Funds for high-achieving schools. Schools have the authority to manage BOS funds through the BOS Team, which consists of the principal, treasurer, teachers, school committee, and student parents. This team is tasked with filling in school data in Dapodik, preparing School Activity Plans and Budgets (RKAS), ensuring transparency and accountability in fund management, submitting reports on the use of funds, and providing public complaint services (Minister of Education and Culture Regulation, 2021)

The principles for managing Regular BOS Funds are based on four main aspects. First, flexibility, namely the use of funds adjusted to the school's conditions and needs, to support its operational activities. Second, effectiveness, which emphasizes managing funds under predetermined goals to provide a positive impact on the learning process in schools. Third, efficiency, namely, using minimal funds to produce maximum results, thereby improving the quality of teaching and learning. Fourth, accountability, which means that fund management is carried out openly and can accommodate the aspirations of all parties in meeting school needs.

The amount of BOS Fund allocation in each school is based on the number of students multiplied by the unit cost, taking into account the level of education and regional conditions. Based on Minister of Education and Culture Regulation Number 8 of 2020 concerning Technical Guidelines for Regular School Operational Assistance, the unit cost per student per year is as follows: elementary school level IDR 900,000, SMP level IDR 1,100,000, SMA level IDR 1,500,000, SMK level IDR 1,600,000, as well as SDLB, SMPLB, SMALB, and SLB of IDR 2,000,000. This amount is intended to support school operational needs to improve the quality of education.

The distribution of BOS funds in 2021, as per Minister of Finance Regulation Number 119/PMK.07/2021, is carried out through book transfers from the Regional General Treasury Account (RKUD) to the school's account, and the funds can be used directly to finance school operational activities. Based on Minister of Education and Culture Regulation Number 6 of 2021, distribution is carried out in three stages: Stage I (30%) until June 30, Stage II (40%) until August 31, and Stage III (30%) until November 30, provided that the previous stage usage report has been submitted. The School BOS Team confirms receipt of BOS Funds at each stage via the bos.kemdikbud.go.id page.

Based on Minister of Education and Culture Regulation Number 6 of 2021 concerning technical guidelines for managing BOS Funds, the use of Regular BOS Funds aims to support the operational needs of students at the primary and secondary education levels. The BOS Fund allocation is calculated based on regional unit costs multiplied by the number of students in the school. These funds can be used for various components, including accepting new students (PPDB), library development, implementing learning and extracurricular activities, as well as learning evaluation and assessment. Apart from that, BOS funds also cover funding for school administration, professional development of teachers and education staff, subscriptions for power and services, maintenance of facilities and infrastructure, as well as the provision of multimedia learning tools. For SMK and SMALB levels, BOS funds are used for activities to increase skill competency and support graduate absorption. Honorarium payments for non-ASN teaching staff who are registered with Dapodik and have not received professional teacher allowances are also included in the use of BOS Funds, with a maximum limit of 50% of the total Regular BOS Fund allocation.

Schools have the authority to determine the use of BOS funds based on priority needs, as mutually agreed upon between the School BOS Team, teachers, and the School Committee. Schools are also fully responsible for the use of these funds, one of which is through reporting, which must be carried out in accordance with statutory regulations. Based on Minister of Education and Culture Regulation Number 6 of 2021, reporting on the use of BOS Funds must be accompanied by several important documents, namely the School Activity Plan and Budget (RKAS), General Cash Book (BKU), Cash Assistant Book, Bank Assistant Book, and Tax Assistant Book. The RKAS contains a school funding plan for one budget year based on the principles of effectiveness, efficiency, accountability, and transparency. BKU records all transactions with third parties, while the Cash and Bank Bookkeeping records cash or non-cash transactions carried out by the school. The Tax Assistant Book monitors transactions subject to tax and their deposits. Apart from that, schools are also required to include other supporting

documents, such as a Helping Book for Details of Shopping Objects, a Recapitulation of the Realization of Use of BOS Funds, and a Statement of Absolute Responsibility.

The management of BOS funds carried out by schools must be accounted for in accordance with school development standards and the components of fund use that have been determined. Schools must prepare a report on the utilization of BOS funds, which includes all funds received and expended during the current budget year. The report is made at each stage and signed by the school principal and the school treasurer. Apart from that, schools are also required to publish reports on the receipt and use of BOS funds transparently to the public. The published document is a recap of the use of BOS Funds, organized by their components. Publication of this report can be done on school information boards or other easily accessible public places.

3. Regent Regulation No. 39 of 2021 concerning Technical Instructions for Distribution of Welfare for Non-Civil Servant Teachers and Non-Civil Servant School Administrative Staff at the Early Childhood Education and Basic Education levels

Public policy is created to fulfill the community's needs and wants. Policy implementation is the stage of executing a policy decision, such as the articles of a law or other legislative regulations, the issuance of an executive regulation, the issuance of a court decision, or the release of regulatory standards and concessions from the policy for society. Even if the rules are carefully crafted, they do not eliminate the possibility of failure in their implementation until the rules applied cannot achieve the expected purpose (Tahir, 2014).

Arrangements regarding the inauguration of honorary teachers as Civil Servant Candidates (CPNS) in Indramayu Regency follow the provisions of Law No. 5 of 2014 concerning State Civil Apparatus (ASN). Therefore, honorary teachers in Indramayu Regency cannot be appointed directly to become CPNS and must follow a series of procedures regulated in this law, including taking a selection test. Since the enactment of Government Regulation No. 48 of 2005, the direct appointment of honorary teachers as CPNS is not permitted, and the term "honorary" is no longer used within the scope of ASN. This raises questions, such as whether there is a special policy for honorary teachers who have served for a long time and are outstanding? In state schools, many honorary teachers have served for a long time and hope to be appointed as civil servants. However, since 2005, they have had to compete in tests with recent graduates who may be theoretically superior. This situation is considered unfair for honorary teachers who possess extensive practical experience. Therefore, tests that are held separately and give priority to honorary teachers who have struggled for a long time are considered fairer. Apart from providing services to the community, the government should also provide protection and attention to its officials, including honorary teachers, who play a role in educating the nation. Regional governments are responsible for protecting their territory, people, and apparatus from various forms of injustice and creating a safe, peaceful, and prosperous environment.

Regent Regulation (Perbup) no. 39 of 2021 Article 2 paragraph (1) states that the technical instructions for distributing welfare to teachers and non-civil servant (non-PNS) school administration staff at the Early Childhood Education (PAUD) and Basic Education

levels are guidelines for the Regional Government and the Indramayu Regency Education Office in providing welfare for them. The teachers and administrative staff referred to in Article 1 paragraph (2) include honorary teachers or non-permanent teachers (GTT) who serve in state schools and are appointed by the school principal, as well as administrative staff who serve or are appointed in state schools. The principles of welfare distribution are outlined in Article 3, namely, efficiency, effectiveness, transparency, accountability, and benefit. Article 4 states that welfare recipients must meet the specified criteria, and welfare is provided in the form of money through the recipient's bank account, under statutory provisions. This welfare distribution is carried out by the Regional Government through the Regional Financial Agency of Indramayu Regency, as stipulated in Article 5, with the provision that the distribution must follow the principles and provisions applicable to the welfare of teachers and non-PNS administrative staff at the PAUD and Basic Education levels.

The Indramayu government's policy in improving the welfare of honorary teachers in its region aligns with Government Regulation (PP) No. 49 of 2018 concerning the Management of PPPK (Government Employees with Work Agreements), which provides opportunities for professionals to become part of the State Civil Apparatus (ASN). These professionals can fill certain Functional Positions (JF) and High Leadership Positions (JPT), with the number and type of PPPK positions determined based on a five-year workload analysis and detailed annually based on priority needs. Based on the Decree of the Minister for Administrative Reform and Bureaucratic Reform (Kepmenpan RB) No. 76 of 2022, functional positions that PPPK can fill include teacher positions. Filling in the primary and intermediate JPT is carried out following statutory regulations and in coordination with the State Civil Apparatus Commission (KASN). The Indramayu government continues to strive to improve the welfare of honorary teachers, including by appointing them to PPPK in accordance with applicable regulations. One of these efforts is the appointment of 1,899 honorary teachers who have passed the passing grade. Indramayu Regent Nina Agustina Da'I Bahtiar will immediately send letters to the four districts requesting that teachers who have passed the passing grade be appointed as PPPK. This was conveyed when thousands of teachers who were members of the PPPK Passing Grade Teacher Forum (GLPG) in Indramayu Regency gave speeches in the Indramayu Pe\$ndopo area. (Diskominfo, 2022).

The available budget in the APBD proposal is insufficient to appoint all honorary teachers as PPPK. The Regent of Indramayu is attempting to increase this APBD through efforts to raise taxes as a regional income source. The higher the tax received as regional income, the greater the source of development costs, one of which is to improve the welfare of honorary teachers. The effort to increase the district's income is proof that the Indramayu administration continues to strive to improve the welfare of honorary teachers.

4. Indramayu Government Policy on Honorary Teachers. Indramayu Regent Regulation Number 11 of 2023 concerning Technical Instructions for Distribution of Welfare for Non-Civil Servant Teachers (Non-PNS) and Non-PNS School Administrative Staff at the Early Childhood Education (PAUD) and Basic Education levels

Indramayu Regent Regulation Number 11 of 2023 concerning Technical Instructions for Distribution of Welfare for Non-Civil Servant Teachers (Non-PNS) and Non-PNS School Administrative Staff at the Early Childhood Education (PAUD) and Basic Education levels aims to improve the welfare and quality of education in the Indramayu region. This welfare distribution is intended as a form of appreciation for the role of Teachers and non-PNS administrative Personnel in realizing the goals of national education and regional development, namely developing the potential of students to become people of faith, piety, noble character, capable, creative, and responsible. Apart from that, this policy aims to promote dignity, enhance competence, and advance the profession of Teachers and non-PNS administrative Personnel, as well as improve the quality of learning and educational services. This policy also supports funding for sustainable professional development activities to enhance the abilities and performance of Teachers and non-PNS administrative staff (Perbup, 2023).

Technical Guidelines for the Distribution of Welfare to Non-PNS Teachers (Non-PNS) and Non-PNS School Administrative Staff at the Early Childhood Education (PAUD) and Basic Education levels serve as guidelines for Regional Governments and Education Services in providing welfare to non-PNS teachers and administrative staff. This welfare includes several categories, namely Teachers, Honorary Teachers or Non-Permanent Teachers (GTT) who serve in state schools, Honorary Teachers appointed by the Principal, school Administrative Staff who serve in state schools, and administrative staff appointed by the Principal.

The procedures for distributing welfare to non-PNS teachers and non-PNS school administrative staff determine several recipient criteria. Non-PNS teachers must fulfill several requirements, including teaching as a class, subject, or counseling teacher in the relevant education unit with a statement letter from the school principal and being known to the head of the department. The teacher must hold a minimum S1/DIV certificate in the relevant field, have a minimum of two years of service, a maximum age of 46 years (except for those who have served for more than five years), and have a performance agreement with the head of the education unit. Meanwhile, Non-PNS Administrative Staff must work based on a certificate from the school principal, have a minimum SMA/SMK/MA diploma, have a minimum service period of two years, a maximum age of 40 years (except for those who have served more than five years), and have a performance agreement with the head of the education unit that is known to the head of the service. An agreement is a contract between two or more parties that promises to carry out a specific action and is binding on all parties that agree (Sutrisno & Permana, 2022).

Welfare allocations for Non-Civil Servant (non-PNS) Teachers and non-PNS school administrative staff at the Early Childhood Education and Basic Education levels are determined each fiscal year, following the provisions of applicable laws and regulations. Welfare is provided in the form of money and distributed directly into the recipient's bank account, with the amount calculated based on their grade. For non-PNS teachers, Grade 1 with a score of 91-100 receives IDR 1,000,000, Grade 2 with a score of 81-90 receives IDR 800,000, and Grade 3 with a score of 65-80 receives IDR 600,000. Meanwhile, Non-PNS Administrative

Staff receive IDR 800,000 for Grade 1 (score 91-100), IDR 700,000 for Grade 2 (score 81-90), and IDR 600,000 for Grade 3 (score 65-80).

The stages of distributing the welfare of Non-Civil Servant (Non-PNS) Teachers and Non-PNS School Administrative Staff involve several structured processes. The first stage is data updating, where the school principal submits data proposals for prospective recipients registered in the Dapodik Application, following the specified format, which is carried out in four periods each year. An integrity pact from the school principal must accompany the proposed data. The second stage is data synchronization, which is determined through the school principal's Absolute Accountability Letter (SPTJM). Next, the Department carries out data verification and validation in preparation for the issuance of a Regent's Decree regarding recipients and the amount of welfare allocation. After this process is complete, the Regent issues a decision based on the results of the verification and validation. Payments are made in accordance with applicable laws and regulations. The Department prepares distribution reports by its authority, and education stakeholders can monitor the distribution process.

The return and termination of welfare payments for Non-Civil Servant (Non-PNS) Teachers and Non-PNS School Administrative Staff at the Early Childhood Education and Basic Education levels is regulated in detail. Returns are made if the recipient is proven to have received welfare that does not comply with the provisions of the Regent's Regulations. The calculation of returns is cumulative from the time the discrepancy in evidence, administration, data, or facts occurs, and must be stated in a Statement Letter from the Head of UPTD. Payments are stopped by the regional government through the relevant agencies under various conditions, such as death, reaching the retirement age limit, resignation, being found guilty by a court, receiving a study assignment, or no longer serving as a teacher or non-PNS administrative staff member. Apart from that, transfers to educational units under the Ministry of Religion or other institutions are also grounds for stopping welfare payments.

The Department is responsible for monitoring and evaluating the welfare distribution of Non-Civil Servant Teachers (non-PNS) and non-PNS school administrative staff at the Early Childhood Education and Basic Education levels. Distribution results are reported every quarter in the form of welfare payment realization reports. The report is submitted to the Regent via BKD in the form of physical documents (hardcopy) and/or electronic documents (softcopy) following applicable regulations. This monitoring and reporting aims to ensure accountability and transparency in the welfare distribution process.

5. Indramayu Regent's Regulation Number 40 of 2023 concerning Guidelines for Providing Welfare for Non-Civil Servant Teachers and Non-Civil Servant School Administrative Staff at the Early Childhood and Basic Education Levels within the Indramayu Regency Government

Guidelines for providing welfare for Non-PNS Teachers (Non-PNS) and Non-PNS School Administrative Staff at the Early Childhood Education and Basic Education levels within the Indramayu Regency Government using a score-based assessment system. The proposal files are verified in stages by the Service Research/Assessment Team to ensure the recipient's eligibility. Assessment is based on several key aspects, including education level,

age, length of service, and the number of teaching hours per week. The maximum score that can be obtained is 100, with physical evidence in the form of a copy of a diploma, birth certificate, appointment decree, and KBM (Teaching and Learning Activities) SK. Determination of linearity refers to Minister of Education and Culture Regulation Number 16 of 2019, which concerns amendments to Minister of Education and Culture Regulation Number 46 of 2016 regarding the linearity of certified teacher educators (Perbup, 2023).

The assessment system for Non-PNS School Administrative Staff at the Early Childhood Education and Basic Education levels uses a tiered verification method by the Service Research/Assessor Team, covering State Kindergartens, State Elementary Schools, and State Middle Schools. This assessment is based on three main aspects: education level, age, and years of service, with a maximum score of 100 points. The level of education gives the highest score for linear S-1/D-IV graduates (40 points) and the lowest for high school graduates (10 points). Individuals over 46 years old received the highest score (30 points), while those aged 20-25 years old received only 10 points. A working period of more than 21 years receives a score of 30, while a working period of 3-5 years does not receive a score. Physical evidence in the form of photocopies of diplomas, birth certificates, and appointment decrees must be attached to the assessment process.

The technique for determining potential welfare recipients for Teachers and non-PNS school Administrative Staff is carried out based on the highest to lowest number of scores. Suppose there are two or more candidates with the same final score, thereby exceeding the quota for the recipient. In that case, the recipient is determined by considering the order of assessment aspects, namely, education, age, length of service, and number of hours worked per week. This technique ensures that the selection process is carried out objectively and in stages according to predetermined criteria.

6. Theoretical Perspectives and Legal Concepts in the Arrangement of Honorary Teachers in Indramayu

Legal theory holds that public policy, including in the field of education, must be based on the principles of justice, legal certainty, and expediency. This aligns with legal theory, which posits that public policy in education should reflect the principles of justice and legal certainty (Sunaryo *et al.*, 2024). In the regulation of honorary teachers in Indramayu, various regulations have been issued to provide legal certainty regarding the status, welfare, and appointment of teaching staff. Law no. 14 of 2005 concerning Teachers and Lecturers is the legal basis that regulates the recognition of the teaching profession, ensures the right to welfare such as salaries and allowances, and requires academic qualifications and teacher certificates. Concrete law enforcement is the application of positive law in practice, as it should be followed (Artadi *et al.*, 2018). Minister of Education and Culture Regulation No. 6 of 2021 regulates the use of BOS funds, which can be allocated for the welfare of teaching staff, under the supervision of the School BOS Team. Regent Regulation no. 39 of 2021 provides guidelines for regional governments to distribute welfare to non-PNS teachers and school administration staff, emphasizing regional responsibility for the welfare of teaching staff. Lastly, Law No. 5 of 2014 concerning the State Civil Apparatus abolished the honorary status within the scope of ASN,

so that the appointment of honorary teachers to become CPNS had to go through a strict selection process, which gave rise to discourse about giving priority to teachers who had served for a long time.

From the perspective of legal theory, the implementation of this policy must consider the balance between legal certainty and the principles of justice. The principle of legal certainty emphasizes the need for explicit legal norms, whereas the principle of justice supports norms with unlimited content, which reflects equality before the law (Raitio, 2013). Local governments must provide legal protection for educators while ensuring that policies implemented do not harm parties who have long contributed to the world of education. Therefore, a review of the recruitment system and the welfare of honorary teachers is essential to create a more equitable and quality education system.

Legal concepts in regulating honorary teachers in Indramayu are based on various regulations that regulate the rights and obligations of teaching staff. One of the legal bases is Law no. 14 of 2005 concerning Teachers and Lecturers, which defines teaching as a profession with special duties and responsibilities in education. This law also provides welfare arrangements through salaries, allowances, and guarantees of security while on duty. Educators are required to have academic qualifications, competencies, and educational certificates to improve the quality of national education.

Minister of Education and Culture Regulation no. 6 of 2021 concerning Regular BOS Technical Guidelines regulates the use of BOS Funds to support school operations, including the need for teaching staff. Schools are given authority to plan and manage funds to make them more effective and transparent. This regulation also encourages community participation in educational supervision by involving parents in the BOS Team, allowing for fund management to be carried out in an accountable manner according to school needs. (Permendiknas, 2021).

Furthermore, Regulation No. 39 of 2021 concerning the Distribution of Welfare for Non-PNS Teachers is a guideline for local governments to provide welfare for non-PNS teachers at the PAUD and Basic Education levels. This regulation emphasizes the responsibility of regional governments to protect teaching staff from injustice and strive to improve their welfare, enabling them to work more effectively and professionally in support of educational progress in the region. (Perbub, 2021).

Lastly, Law No. 5 of 2014 concerning the State Civil Apparatus (ASN) abolished the honorary status within the scope of ASN, so that the appointment of honorary teachers to become CPNS must go through a selection process determined according to competency-based procedures. However, even though regulations are available, their implementation still faces obstacles, especially regarding justice for teachers who have served for a long time. Therefore, policies are needed that favor outstanding and experienced honorary teachers to create a fairer and more sustainable system.

IV. CONCLUSION

Based on the research results, regulations and policies related to honorary teachers in Indramayu Regency can be concluded as follows:

1. Honorary teachers in Indramayu Regency are regulated based on Law Number 14 of 2005 concerning Teachers and Lecturers, which emphasizes the importance of protecting, recognizing, and improving the welfare of teaching staff. This law outlines that teachers must have academic qualifications, competencies, and educational certificates to meet national education standards. Additionally, there is recognition of teachers' rights, including income above the minimum requirements, professional protection, and opportunities for professional development.
2. The Indramayu Regency Government's policy in improving the welfare of honorary teachers refers to the use of School Operational Assistance Funds (BOS) as regulated in Minister of Education and Culture Regulation Number 6 of 2021. BOS funds can be used to pay honorariums for honorary teachers who do not yet have ASN status, with a maximum allocation of 50% of the total funds. This policy aims to ensure equal distribution of welfare and support the quality of education through increasing the competency of teaching staff. However, in reality, it has not been possible to improve the welfare of honorary teachers evenly.

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- Indramayu Regent Regulation No. 39 of 2021 concerning Technical Instructions (Juknis) for the Distribution of Welfare for Non-PNS Teachers and Non-PNS School Administrative Staff at the Early Childhood and Basic Education Levels.
- Indramayu Regent Regulation Number 11 of 2023 concerning Technical Instructions for Distribution of Welfare for Non-Civil Servant Teachers and Non-Civil Servant School Administrative Staff at the Early Childhood and Basic Education Levels
- Indramayu Regent's Regulation Number 40 of 2023 concerning Guidelines for Providing Welfare for Non-Civil Servant Teachers and Non-Civil Servant School Administrative Personnel at the Early Childhood and Basic Education Levels within the Indramayu Regency Government.