

APPLICATION OF DIY REGIONAL REGULATION NUMBER 5 OF 2022 IN INCLUSIVE ELEMENTARY SCHOOL EDUCATION IN YOGYAKARTA CITY: (A Study On The Fulfillment Of The Right To Decent Education For Persons With Disabilities)

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Abstract

Background. Based on PERDA DIY Number 5 of 2022, the problem formulation for this study is how to provide inclusive elementary school pupils in Yogyakarta City with the right to a quality education for individuals with disabilities.

Aims. In Yogyakarta City's inclusive elementary schools, a few things prevent pupils with disabilities from receiving a proper education.

Methods. This kind of empirical legal study uses primary and secondary data sources. The data was gathered using literature reviews, interviews, and observations. In the interim, qualitative descriptive analysis was employed.

Result. Additionally, the study's findings indicate that Yogyakarta has yet to issue implementation regulations for DIY Regional Regulation No. 5 of 2022. The following are some of the policies implemented to execute DIY Regional Regulation No. 5 of 2022: a. Setting up Disability Service Units and giving preference to students with impairments who attend schools near their homes. Fulfillment of Scholarships for Disabled Students. c. The disability services unit's provision of appropriate accommodations. d. Bullying prevention and the significance of a feeling of security in its diversity.

Conclusion. Yogyakarta City primary school pupils are among the factors that impede the realization of children with disabilities' right to a decent education. a. Teachers' inability to effectively interact with ABK students. b. Parents continue to show little concern for ABK. c. Although the number of Special Assistant Teachers (GPK) has been reached, APBD funds have not been used to cover the full cost of wage allowances and incentives, particularly for private schools. d. Infrastructure and facilities to accommodate pupils with special needs.

Keywords: people with disabilities, inclusion education, implementation

I. INTRODUCTION

The phrase "Children with Special Needs" has recently gained popularity in Indonesia. Even hearing about youngsters with autism, hyperactivity, cerebral palsy, specific learning disabilities, and Down syndrome in person makes us feel familiar. Three percent of children aged five to nineteen have a disability, according to statistical data. In contrast, there were 66.6 million people in that age group in 2021. Therefore, there are approximately 2,197,833 children with disabilities between the ages of 5 and 19. According to the Ministry of Education and Culture data, 269,398 pupils are enrolled in the Special School (SLB) and inclusive pathway as of August 2021. According to this data, just 12.26% of children with disabilities have completed formal schooling. This indicates that not much of what ought to be served is left.

According to the Coordinating Minister for PMK, in the Inclusive School service, currently there are still challenges in the School Environment such as rejection from some parents/communities, harassment of people with disabilities, and limited competent Special Supervisors (GPK), low ability to adapt curriculum and learning and the availability of accessible learning media has not been maximized. In addition, there is also a Support System that has not been maximized, the availability and accuracy of data on Children with Special Needs (ABK), the Center for Identification and Assessment Services, and Affirmative Policies that have not reached all regions.

According to data collected in 2022 as of last January, there were 16.5 million disabled individuals in Indonesia, consisting of 7.6 million men and 8.9 million women. The Republic of Indonesia's Ministry of Health reported in the Infodatin that it used Basic Health Research (Riskesdas) to gather information on individuals with disabilities in 2007, 2013, and 2018. There is a lack of precise and detailed data regarding the number of children with special needs. But generally speaking, if we use data from the United Nations (United Nations), which estimates that at least 10% of school-age children have special needs, then there are roughly 4.6 million special needs children in Indonesia, which has 46 million school-age children (5–14 years old). Meanwhile, 351,000 children under five are thought to have special needs, according to data from the Central Statistics Agency (BPS). Aside from the expanding population, pressing concerns require careful consideration, such as the status of growth and development and the continuation of schooling for children with special needs.

In the Special Region of Yogyakarta, as many as 1,400 children with disabilities or children with special needs (ABK) are estimated not to be able to receive a proper education.

They do not go to school for various reasons, such as parents who are ashamed of their child's condition and inadequate financial ability. Didik Wardaya, Head of Education Planning and Standardization of the DIY Disdikpora, stated that "The number of students with disabilities attending school continues to increase every year. However, many children with special needs still have not gone to school."

There were 1,592 special needs youngsters who had not gone to school as of October 31, 2016. An estimated 1,400 special needs children were not yet enrolled in school as of September 2018. In the meantime, there were 2,700 students enrolled in inclusive schools and 5,600 children with special needs in SLB. According to Didik Wardaya, there are many different reasons why kids with special needs don't go to school. Some people choose not to attend school because it is too distant from their homes. Additionally, there are explanations for the parents' humiliation and lack of funds. Because of the scholarships established by the Yogyakarta Regional Government (Pemda), students with impairments who wish to attend school don't have to worry about payment. An inclusive scholarship will be awarded to children with special needs who attend an inclusive school. In the meantime, there are no fees for SLB students

One of the Indonesian provinces that is still evolving in terms of how its citizens live and how it is laid out is the Special Region of Yogyakarta. Kulon Progo Regency, Bantul Regency, Sleman Regency, Gunung Kidul Regency, and Yogyakarta City are the five regencies/cities that comprise the Special Region of Yogyakarta. The capital of the Special Region of Yogyakarta is the city of Yogyakarta. It is well-known as a tourist destination, an educational hub, and one of Java's cultural hubs. Since Yogyakarta is a center of education, many Indonesians send their children there to pursue their education. Every Regency and City in Yogyakarta features noteworthy educational institutions that are important for conducting research.

Since 2014, Yogyakarta Province has been declared a Child-Friendly City. DIY creates access to fulfillment and respect for children's civil and socio-economic rights with this predicate. One of the fulfillments of Ekosob's rights is the right to decent education that can be accessed for both physically and spiritually healthy children and children with disabilities.

II. LITERATURE REVIEW

Disabilities

According to Goffman (in Arie Dwi Ningsih: 2022), people with disabilities cannot communicate with others. The environment thinks they can't do anything that causes a problem. Because of the limitations and bad stigma others give, they try to ensure they are not dependent on others.

Types of Disabilities according to Article 4 of the Disability Law. Physical disability. Physical Disability is a disruption of movement function, including amputation, paralysis, paraplegia, *cerebral palsy* (CP), due to stroke, leprosy, and small people; Intellectual Disability. Intellectual disability is a disruption of thinking function due to below-average intelligence levels, including slow learning, grahita disability, and *Down syndrome*; Mental Disability. Mental disability is a disorder of thinking, emotional, and behavioral functions. Psychosocial, e.g., schizophrenia, bipolar, depression, anxiety, personality disorders; Developmental disabilities that affect the ability to socialize, such as autism and hyperactivity; Sensory Disabilities. Sensory disability is the disruption of one of the functions of the five senses, including visual, hearing, and/or speech disabilities; Multiple Disabilities. Multiple disabilities are those in which two or more types of disabilities exist, including hearing, speech, and blind-deaf disabilities.

A blind person is an individual who has an obstruction in vision. Blind people can be classified into two groups: total blindness (*Blind*) and *low vision*. A blind person, according to Kaufman & Hallahan, is an individual who has poor vision or vision accuracy less than 6/60 after correction or no longer has vision. Because the blind have limitations in the sense of sight, the learning process emphasizes other sensory tools, namely the sense of touch and hearing. Therefore, the principle that must be considered in providing teaching to blind individuals is that the media used must be tactile, and a tape recorder and JAWS software provide sound. They learn about Orientation and Mobility to help the visually impaired in activities at the extraordinary school. Orientation and Mobility includes learning how to use a white cane (a special cane for the blind made of aluminum).

Identification of children with visual impairments: Unable to see, Unable to recognize people at a distance of 6 meters, Noticeable damage to both eyeballs, Often groping/tripping when walking, Having difficulty picking up small objects nearby, The black part of the eyeball is cloudy/scaly/dry, Eyes swaying continuously.

Deaf people are individuals who have a hearing impairment that is both permanent and impermanent. Pitaloka (2021) classifies deafness based on the degree of hearing loss is: Very mild hearing loss (27-40dB), Mild hearing loss (41-55 dB), Moderate hearing loss (56-90 dB) 4. Severe hearing loss (71- 90 dB), Extreme hearing loss/deafness (above 91 dB). Because they have a hearing impairment, deaf individuals have a hearing impairment so they can be called speech-impaired. The way to communicate with individuals using sign language, the finger alphabet, has been patented internationally, while sign language varies from country to country. Currently, several schools are developing total communication, namely how to communicate by involving verbal language, sign language, and body language. Deaf individuals tend to have difficulty understanding the concept of an abstract.

The following are the identifications of children with hearing loss: inability to hear; delayed language development; often using signals in communication; lack of responsiveness when talked to; Unclear speech; strange/monotonous word quality; often tilting the head in an attempt to listen; a lot of attention to vibration; pus discharges from both ears; and abnormalities in the organs of the ear.

The following are the questions that come up about this research, which are based on the background of the topic described above:

1. Following DIY Regional Regulation Number 5 of 2022, how well are inclusive elementary school pupils in Yogyakarta City meeting their right to a good education for individuals with disabilities?
2. What obstacles prevent Yogyakarta City's Inclusion Elementary School children with disabilities from achieving their right to a quality education?

Concerning the above-described problem formulation, some of the study's goals are as follows:

1. First, subjective goals. This study's subjective goal is to gather information for research as one way to apply the Tri Dharma of Higher Education for lecturers.
2. Secondly, objective goals. According to DIY Regional Regulation Number 5 of 2022, the study's goals are to: a. Determine if Yogyakarta City's inclusive elementary school pupils with disabilities receive a sufficient education. b. To identify the barriers preventing students with disabilities at Yogyakarta City's Inclusive Elementary School from achieving their right to a respectable education.

This research is expected to provide several benefits both theoretically and practically, which can be described as follows:

1. Theoretically, this research will provide additional information and knowledge about Human Rights Law, especially the fulfillment of economic, Social, and cultural rights.
2. Practically, this research is expected to provide benefits for several groups as follows: For academics, this research is expected to provide additional legal knowledge about regulating the fulfillment of the right to proper education for elementary school students with disabilities in Yogyakarta City; For Indonesian people, especially parents who have children with disabilities, they can get information about the rights of their sons and daughters in getting a proper education; This research is also expected to be a reference for the next researcher, providing an overview of fulfilling the right to a decent education for Inclusion Elementary School students; For the Government. This research hopes to provide information about the condition of people with disabilities in the city of Yogyakarta and recommend policies in the field of special education.

III. METHODS

1. Types of Research

This study falls under the descriptive research category and uses textual and visual data. The goal of descriptive research is to accurately and uniquely characterize facts, events, or symptoms in relation to the traits of certain people and geographical areas. In addition to expert or book author comments, research findings pertinent to the variables under study can also be used to describe a study, which is a methodical explanation of a theory. As a result, more hypotheses need to be proposed as more variables are studied. Sugiyono (2016), p. 58

2. Data sources and legal materials.

This study's data types and sources came from library resources (secondary data) and the community (primary data). Primary information. Empirical information gathered directly from research subjects—individuals, groups, and organizations—is primary data. Through observations and interviews, primary data on providing Yogyakarta's disabled population with a decent education was gathered straight from the field. Employees of the Yogyakarta Provincial Youth and Sports Office, who are responsible for collecting data

and managing children with special needs or disabilities and inclusive schools in Yogyakarta, provided the primary data for this study. These individuals are directly involved in the issue of scrutiny, secondary information. Books, pamphlets, and articles from research-related websites are used to gather secondary data. Burhan Bungin (2005), p. 122

In this study, the secondary data were in the form of:

1. The 1945 Constitution, the Human Rights Law, and the Child Protection Law are examples of primary legal materials, legally binding documents in the form of statutes and other relevant laws and regulations, government regulations, and laws pertaining to people with disabilities.
2. Secondary legal materials, which include books, research findings, the Internet, and other sources, explain primary legal materials.
3. Tertiary legal documents, like dictionaries, are legal materials that offer clarifications or instructions for primary and secondary legal materials.

Research Location

This research was carried out at the Office of the Youth and Sports Education Office, Jalan Hayam Wuruk No. 11, Tegal Panggung, Danurejan District, Yogyakarta City, DIY.

Data Collection Methods

1. Literature Studies. Data collection is carried out through written data by analyzing it. In this literature review, the author uses books, laws, regulations, and other written sources related to the author's research. (Soerjono Soekanto, 1983:167)
2. Interview. The data collection procedure is an interview, one of which is the collection of research data to obtain relevant information from the respondents by asking directly face-to-face questions. The interviews in this study are carried out in an unstructured and open manner designed to bring out views and opinions from the participants.
3. Documentation. The documentation in this study is in the form of writings, drawings, or monumental works by a person. Documents in the form of writing, such as diaries, life histories, stories, biographies, regulations, and policies. Documents in the form of images, such as photographs, living pictures, sketches, and others. In this study, documentation was carried out during the implementation of the research to obtain effective data. By recording

the results of the interview, which will then be re-documented by retyping the results into a computer file.

4. Observation. The researcher sees, listens to, and records every movement or change and the condition of the object being observed. The results of the observations are recorded and then used as analytical materials to answer the problem.
5. Responders. A respondent is a resource person or someone who has accurate information and can be trusted to be true about a certain thing or object. The speakers who were directly involved in this matter were:
 - a. Drs. Aris Widodo, M.Pd, Head of the Disability Services Unit for Education and Resource Center of the Yogyakarta City Youth and Sports Office, DIY.
 - b. Fransisca Mujirah, S.Pd Principal of SD Negeri Kyai Mojo Yogyakarta.
 - c. Nismaya Annisatul Iftitah, S.Pd Special Assistant Teacher (GPK) SD N Kyai Mojo.
6. Data Analysis Method. This study used a qualitative-descriptive data analysis technique. Descriptive qualitative analysis analyzes data by describing the collected data as it is, without intending to make conclusions that apply to the public. (Sugiyono, 2016: 147)

IV. DISCUSSION

Two methods are used in Yogyakarta to implement education for kids with impairments. First, inclusive education. In inclusive schools, children with disabilities do not face hurdles related to communication, behavior, cognition, or emotion, while special needs pupils attend conventional schools with other students. Special Schools (SLBs) are for kids with special needs who can't learn in ordinary schools.

Both typical pupils and students with special needs are meant to be included. It will be a joy and an honor for special needs children to attend conventional schools with other students. In the meantime, it will cultivate empathy and sensitivity in children in general. Based on data from the Yogyakarta Education and Culture Office, in the 2023 Academic Year, there are children with disabilities who receive Education in Inclusive Schools as follows:

Table 1:
Recapitulation Of Abk Students Of Elementary School Inclusion Education Provider (SD)
2023/2024

NO	CITY/DISTRICT	SUM
1	Bantul Regency	450

2.	Mountain Resort	91
3.	Kab. Kulon Progo	31
4.	Sleman Regency	87
5.	Yogyakarta City	188
	Total amount	847

Based on Table 1, the number of students with special needs/persons with disabilities at the elementary school level is the highest in Bantul Regency, 450 people, Yogyakarta City, 188 people, Gunungkidul, 91 people, Sleman Regency, 87, and the lowest number is Kulon Progo, 31 people.

Law 19 of 2011 subsequently recognized the Declaration on the Rights of Disabled Persons (1975), which Indonesia has done. With Resolution 61/106, the UN adopted the Convention on the Rights of Persons with Disabilities on December 13, 2006. The right to education is one of the human rights of individuals with disabilities, as stated in Article 24, point 6. The Republic of Indonesia's 1945 Constitution and its implementing legislation, as previously explained, provide the right to education within the framework of the country's constitutional structure. "Every citizen has the right to education" is stated in Article 31 of the Republic of Indonesia's 1945 Constitution. Additionally, the Republic of Indonesia's 1945 Constitution provides every citizen the right to an education in Articles 28C and 28E, paragraphs (1) and (1), respectively. "Every citizen is obliged to attend basic education and the government is obliged to finance it," according to Article 31 paragraph (2) of the Republic of Indonesia's 1945 Constitution. It is also stated that "Every citizen has the same right to obtain quality education" in Article 5 paragraph (1) of Law Number 20 of 2003 about the National Education System. In addition to regular citizens, people who are physically and mentally ill also have the right to education. On the other hand, persons with exceptional needs (disabilities), such as physical, emotional, mental, intellectual, and/or social impairments, are also allowed to obtain education that is tailored to their circumstances under the equal access principle. Syofyan Hadi and Wiwik Afifah, 2018:279.

"Children with disabilities have the right to receive extraordinary education, and children who have advantages have the right to special education," according to Article 9, paragraph (3) of Law Number 35 of 2014 concerning Child Protection. The fact that some of these rules and regulations control the rights of people with disabilities indicates that the law has regulated education for children with disabilities and that their right to an education is equal to that of other children.

Mardiana and Khoiri Ahmad Khoiri's earlier research in Malawi in 2021 produced the following findings: According to the study's findings, inclusive education for special needs students in Melawi Regency's elementary schools has not been carried out according to the right guidelines, beginning with the provision of accompanying teachers, supporting facilities, and education personnel development for children with special needs (ABK). For the implementation of inclusive education to take place and in compliance with the protocols for implementing inclusive education for children with special needs in Melawi Regency, the central or regional government, including the Melawi Regency Education Office, must pay attention to the provision of accompanying teachers and general special schools (SLB), which can help children with special needs stay in school.

Table 2
Recapitulation Of Junior High School (SMP) Inclusion Education Provider Students
2023/2024

NO	CITY/DISTRICT	SUM
1.	Bantul Regency	142
2.	Mountain Resort	112
3.	Kab. Kulon Progo	17
4.	Sleman Regency	46
5.	Yogyakarta City	120
	Total Quantity	437

Based on Table 2 above, it can be seen that the number of children with special needs/persons with disabilities in Junior High School (SMP) is that Bantul Regency still has the highest number, 142, followed by Yogyakarta City, 120, Gunungkidul Regency, 112, Sleman Regency, 46, and the lowest number of Sleman Regency, 46.

Table 3
Recapitulation Of Abk Students Of Public High School Inclusion Organizing Schools (SMU)
2023/2024

No	City/District	Sum
1.	Bantul Regency	27
2.	Mountain Resort	0
3.	Kab. Kulon Progo	0
4.	Sleman Regency	4
5.	Yogyakarta City	26
	Total Quantity	57

Based on Table 3 above, it can be seen that Bantul Regency has the highest number of students with special needs at the Public High School (SMU) level, with 27 students, followed by Yogyakarta City, with 26 students, Sleman Regency, with 4 people, and Gunungkidul and Kulon Progo Regency, with 0 (zero) or no students with special needs.

Table 4.
Recapitulation Of Abk Students Of Vocational High School Inclusion (SMK) 2023/2024.

No	Regency/City Name	Sum
1	Bantul Regency	12
2.	Mountain Resort	0
3.	Kab. Kulon Progo	1
4.	Sleman Regency	15
5.	Yogyakarta City	17
	Total amount	45

Table 4 above shows that Yogyakarta City has the most special needs students among Vocational High Schools (SMK), with 17 students. Sleman Regency has 15 students, Bantul Regency has 12, and Kulon Progo Regency has one student. Gunungkidul has no students. Because some kids are sent to vocational schools, the number of high school students with special needs is quite modest, according to the data. Students' physical abilities or conditions have been accommodated. Because their abilities might not be developed if they proceed to college, students with specific sorts of special needs are more focused on skills education. Since 2012, Yogyakarta's Special Region has proclaimed itself to be an inclusive education area. The foundation for implementing inclusive education in the regions is provided by Yogyakarta Provincial Regulation No. 4 of 2012 concerning the Protection and Fulfillment of the Rights of Persons with Disabilities and Yogyakarta Provincial Governor Regulation No. 21 of 2013 concerning the Implementation of Inclusive Education. Regional Regulation Number 5 of 2022, which focuses on the implementation of respect, protection, and fulfillment of the rights of persons with disabilities, was issued by the province of Yogyakarta in 2022. This Regional Regulation makes all Yogyakarta districts and cities the legal foundation for policies and a point of reference for implementing the rights of people with disabilities. How well is DIY Regional Regulation Number 5 of 2022 being implemented in Yogyakarta to uphold the law and provide elementary school students with disabilities with a quality education? This requires more investigation. Fulfillment of the Right to Decent Education for

Persons with Disabilities (Study of the Implementation of DIY Regional Regulation Number 5 of 2022 on Inclusive Elementary School Education in Yogyakarta City) is the title of the research that the author is interested in doing because of this.

The term disability comes from English, namely, *different ability*, which means having other skills. Meanwhile, according to the Great Dictionary of the Indonesian Language (KBBI), disability is defined as a condition, such as illness or injury, that limits a person's mental and physical abilities. Disability is a condition of physical, intellectual, cognitive, and/or sensory limitations for an extended period, so the person experiences obstacles and difficulties in interacting.

By implementing DIY Regional Regulation Number 5 of 2022, inclusive elementary schools in Yogyakarta City are able to provide students with disabilities with a decent education.

The phrase "education for all," which refers to education that is inclusive and aims to reach everyone without exception, is the source of the term "inclusive education," which UNESCO has adopted. Everybody has the same rights and chances to profit as much as possible from education. Individual differences in physical, mental, social, emotional, and even socioeconomic traits do not differentiate those rights and opportunities. The national education concept of Indonesia, which does not restrict pupils' access to education based solely on differences in their initial circumstances and origins, now seems to be in line with inclusive education. Being inclusive does not only apply to children who are unusual or abnormal; it also applies to all children. Accordingly, inclusive education is a system of educational services that mandates that students with special needs attend local schools and participate in regular classrooms alongside their classmates (Sapon Shevin in O'Neil 1994).

Schools that accommodate every student in the same class are known as inclusive education schools. In addition to offering instructors the assistance and support they need to help children achieve, this school offers educational programs that are realistic, demanding, and customized to each student's skills and requirements (Stainback, 1980). Given these constraints, inclusive education is designed to be a system of educational services that allows children with special needs to attend the conventional school nearest to their home and learn alongside their peers. The goal of implementing inclusive education is to give every kid the

best chance to receive a high-quality education that is tailored to their unique requirements without discrimination.

Legal Basis

According to the findings of an interview with Mr. Drs. Aris Widodo MPd, Head of the Disability Service Unit of the Yogyakarta City Education Office, the DIY Regional Regulation Number 5 of 2022's Implementing Regulations and Technical Instructions are still pending, so they are still implementing the outdated rules that are still in effect. Permendikbudristek Number 48 of 2023 about Decent Accommodation for Students with Disabilities is the set of laws and regulations that serve as a guide for the implementation of SPPI in Yogyakarta City for central regulations. Then, in terms of laws and regulations at the regional level, it refers to: a. Yogyakarta City Regional Regulation Number 4 of 2019 regarding the Promotion, Protection, and Fulfillment of the Rights of Persons with Disabilities; and b. Yogyakarta City Mayor's Regulation Number 129 of 2017 regarding the establishment, organizational structure, position, functions, duties, and work procedures of the Education Office's Technical Implementation Unit. The Regulation of the Mayor of Yogyakarta City Number 47 of 2008 concerning Implementing Inquisitive Education is repealed by Perwal Number 129 of 2017.

The following rules are outlined in DIY Regional Regulation Number 8 of 2022 about the respect, defense, and realization of the rights of people with disabilities: The Education Aspect is governed by the third section of Regional Regulation Number 8 of 2022. Article 10 states that, by the provisions of laws and regulations, the rights of persons with disabilities in the area of education, as defined in Article 6, letter b, shall be respected, protected, and fulfilled for every educational path, kind, and level. Under its jurisdiction, the Regional Government will plan and/or assist with the education of individuals with disabilities as specified in paragraph (1). Inclusive, special, non-formal, and informal education will be used to implement and/or facilitate education for people with disabilities as specified in paragraph (2). Education can be implemented in the community as described in paragraph (3).

Long before the DIY Regional Regulation was published, the Yogyakarta City Government established Mayor Regulation Number 47 of 2008 concerning the Implementation of Inclusive Education, which included the provisions of Article 10 of Regional Regulation No. 8 of 2022. Additionally, the Dikdas School Management Section was attached to the

Elementary Curriculum Section as the Yogyakarta City Education Office's implementer/leading sector. Perwal Number 129 of 2017 concerning the Formation, Organizational Structure, Position, Functions, Duties, and Work Procedures of the Technical Implementation Unit at the Education Office revoked the Mayor Regulation Number 96 of 2016 that was issued in 2016 regarding the Formation, Organizational Structure, Position, Functions, Duties, and Functions of the Technical Implementation Unit of Disability Services. The Yogyakarta City Government also released Yogyakarta City Regulation Number 4 of 2019 about the Promotion, Protection, and Fulfillment of the Rights of Persons with Disabilities in addition to the Mayor's Regulation.

According to an interview with Mrs. Diah, the Disability Services Unit's Implementing Staff, inclusive education is implemented using the provisions of Permendikbudristek Number 48 of 2023 concerning Decent Accommodation for Students with Disabilities as well as the outdated regulations that are still in effect while awaiting the implementing rules of DIY Regional Regulation Number 8 of 2022.

Implementation of DIY Regional Regulation Number 8 of 2022 in the Implementation Inclusion.

Children with special needs can be educated using a variety of approaches, including inclusive education. Integrated education and secretarial are two more models. Here is a summary of how the three models differ from one another.

1. Segresi School is a school that separates children with special needs from the regular school system. In Indonesia, this form of special education school is in the form of a special education unit or an extraordinary school, according to the type of student disorder, such as SLB/A for blind children, SLB/B for deaf children, SLB/E for children with adjustable blindness, and others. The education system used is completely separate from the education system in regular schools, including the curriculum, educators and education personnel, infrastructure, and the learning system and its evaluation. The weaknesses of this secret school include that children's emotional and social development aspects are not extensive due to the limited social environment.
2. Integrated schools provide opportunities for students with special needs to participate in education in regular schools without special treatment tailored to children's individual needs. Schools continue to use the curriculum, infrastructure, educators, education staff,

and regular learning systems for all students. If students have difficulties participating in education, the consequences are that they must adjust to the system demanded in regular schools. In other words, integrated education requires children to adapt to the system that regular schools require. The disadvantages of education through this integrated school include that children with special needs do not receive services according to their individual needs. Meanwhile, the advantage is that children with special needs can get along in a wide and reasonable social environment.

3. A recent evolution of integrated education is inclusive schools. The curriculum, facilities, teachers, and other educational staff, as well as the learning and evaluation processes, are all modified and/or adjusted in an inclusive school to best meet the unique requirements of each student. To put it another way, inclusive education calls for schools to adapt to the unique requirements of each student, not those who adapt to the educational system. The benefits of inclusive education include meeting the educational needs of both special needs and typical children in accordance with their individual potential and allowing them to interact with one another in a reasonable way, given society's expectations. Implementing inclusive education requires schools to make many adjustments, beginning with attitudes, viewpoints, and instructional methods focused on meeting each individual's needs without prejudice.

The educational framework for children with impairments in Yogyakarta is implemented in accordance with Article 11 of Regional Regulation Number 8 of 2022. Article 11 stipulates: The execution and/or promotion of Education for Persons with Disabilities occurs within the national education framework via inclusive education and special education; special education, as described in paragraph (1), serves as an alternative for Persons with Disabilities. The implementation of Education for Persons with Disabilities, as outlined in paragraph (1), shall be facilitated by: preparing students for admission to inclusive schools as an option; offering information and consultation regarding inclusive education; training specialized supervisors in inclusive education institutions; and delivering educational services for students with disabilities.

Article 12 stipulates that, in executing the Respect, Protection, and Fulfillment of the Rights of Persons with Disabilities in the realm of Education as outlined in Article 10, the Regional Government shall include children with disabilities in the twelve-year compulsory education program. Prioritizing pupils with impairments to attend the school nearest to their

residence; Enabling individuals with disabilities without formal education to acquire a certificate in primary and secondary education via an equity initiative; Offering scholarships to exceptional kids with impairments whose parents lack the financial means to fund their education; Offering educational funding for children of individuals with disabilities who are unable to finance their education. Ensuring financial support for the education of children with disabilities through special education guarantees; Empowering individuals with disabilities to acquire fundamental skills essential for autonomy and active engagement in educational and social development; disseminating public service information regarding inclusive and special education; promoting the establishment of Disability Service Units to aid in the execution of inclusive education; assisting educational institutions in delivering appropriate accommodations; ensuring the option for students with disabilities to attend inclusive schools.

Prioritization of Students to Attend School in the Nearest Location of Residence and the Establishment of a Disability Service Unit.

Moreover, Article 11 Paragraph (2) stipulates: "In prioritizing students with disabilities for enrollment at the nearest school to their residence, as referenced in paragraph (1) letter b, the implementation must take into account educational facilities that are accommodating to students with disabilities." Paragraph (3) indicates that the establishment of a Disability Service Unit to facilitate the implementation of inclusive education, as outlined in paragraph (1), letter I, is authorized at the levels of early childhood education, primary, secondary, and higher education in accordance with applicable laws and regulations. In accordance with the stipulations of Article 11, paragraphs (1), (2), and (3), the Yogyakarta City Government, via the Disability Service Unit, has incorporated children with disabilities into the twelve-year compulsory education program. In theory, "All educational institutions are mandated to admit students with disabilities." All educational institutions, whether public or private, must not deny enrollment to prospective students with disabilities at all levels, including early childhood education, kindergarten, elementary, junior high, and high school.

Additionally, to prioritize students with impairments in attending the school nearest to their residence, the Disability Service Unit coordinates the Disability Affirmation New Student Admission (PPDB). Registration occurs at the ULD office by presenting the necessary documents, including assessment documents, ASPD certificates, original family cards, and

photocopies. Moreover, the selected candidates are allocated to their preferred school or destination. The allocation for the Disabled route at each school is 5 percent of its total capacity.

Fulfillment of Scholarships for Students with Disabilities.

Subsequently, to meet the local government's obligations, allocate scholarships for exceptional students with disabilities whose parents are financially unable to support their education; cover educational expenses for children of individuals with disabilities who lack the means to pay for their education. The Yogyakarta City Government, through the Disability Service Unit, ensures educational funding for children with disabilities by allocating Regional Education Guarantee (JPD) assistance, Inclusion Scholarships, and partnering with various financial institutions to offer CSR initiatives for disabilities, including Bank BPD DIY CSR and Bank Syariah Indonesia. The IThen Scholarship is granted each semester according to the school's recommendation. According to the Decree of the Head of the Yogyakarta Education, Youth and Sports Office Number: 043 of 2024 on the Establishment of Guidelines for the Implementation of DIY Inclusion Scholarship Assistance in 2024, the scholarship amounts for children are as follows:

- 1) Elementary = IDR 550,000 x 2 Semesters/student
- 2) Junior High School = IDR 650,000 x 2 Semesters/student
- 3) High School/Vocational School = IDR 750,000 x 2 Semesters / student

This scholarship comes from the Special Fund of the Yogyakarta Regional Government Budget for the 2024 Fiscal Year. Then, the allocation or utilization of scholarship funds for children with special needs at schools that provide inclusive education is expected to be used by ABK children for the following costs:

1. Purchase learning aids for students with disabilities, such as a magnifying glass or loupe for the visually impaired and a hearing aid for the deaf.
2. Transportation of students with disabilities is a maximum of 10% per semester
3. Purchase of other educational equipment needed by other students with disabilities, such as stationery, uniforms, shoes, and school bags.
4. Therapy costs for students with disabilities
5. Fees to schools in the provision of special supervisors are a maximum of 15% per semester, for schools that do not have GPK from the DIY Dikpora Office or the City Dikpora Office.

Alongside scholarships from the Regional Government for individuals with disabilities, the central government offers support through the Family Hope Program (PKH) for Persons with Disabilities, administered by the Ministry of Social Affairs. Additionally, concerning the obligations of local government to disseminate information on public services related to inclusive and special education, as well as to facilitate the creation of Disability Service Units for the implementation of inclusive education, the Yogyakarta City Government has established a Disability Service Unit through the issuance of Mayor Regulation Number 96 of 2016, which outlined the establishment, organizational structure, positions, functions, duties, and work procedures of the Technical Implementers of Disability Services. This regulation was subsequently revoked by Perwal Number 129 of 2017, which addressed the formation, organizational structure, positions, functions, duties, and work procedures of Technical Implementation Units within the Education Office.

Fulfillment of appropriate accommodation by the disability service unit.

The provisions of the obligation to facilitate educational institutions in providing adequate accommodation, the Disability Service Unit of the Yogyakarta City Dikpora Office is based on the provisions of Permendikbudristek Number 48 of 2023 concerning Decent Accommodation for Students with Disabilities. This is because there are no derivative regulations from the DIY Regional Regulation No. 8 of 2022.

Article 13 paragraph (4) reads: Facilitation of Education Institutions in providing Decent Accommodation as intended in paragraph (1) letter j includes at least facilitation:

1. Provision of budget support and/or funding assistance;
2. Provision of infrastructure;
3. Preparation and training of educators and education personnel;
4. Curriculum preparation;
5. Preparation of therapists;
6. Tutoring support for students.

Budget support and/or funding assistance have been provided in the form of inclusion scholarships, Regional Education Guarantees (JPD), which are budgeted from the APBD and APBD Special Funds, and CSR from financial institutions in Yogyakarta.

The Disability Service Unit then provides facilities and infrastructure to support the learning of students with disabilities, using a loaned system. The infrastructure facilities provided

include musical instruments, including Angklung, Kulintang, Trombolin, and Guitar. Then, walking aids, such as wheelchairs and Special Teaching Aids (APK), are provided.

Preparation of educators and education personnel;

To organize inclusive education in the City of Yogyakarta in 2024, the City Government has appointed Special Assistant Teachers (GPK) based on the Decree of the Head of the Yogyakarta City Youth and Sports Education Office Number 100 – 3 / 049 concerning Amendments to the Decree of the Head of the Youth and Sports Education Office Number 100 – 3/032 concerning the Determination of Special Assistant Teachers for Children with Special Needs in Yogyakarta City Education Assistance for the 2024 Fiscal Year. The number of GPK for public schools is 137, and for private schools is 55. The GPK specification for the old rules is Special Education (PLB) graduates, Counseling Guidance (BK), and Psychology. However, with the regulation of Permendikbudristek No. 68 of 2023 for GPK specifications, in addition to the three majors, it can be adjusted to the educational institution's needs, provided that the educator has participated in training education or workshops on inclusion education.

To provide salaries/incentives for Special Assistant Teachers, it is taken from the APBD and the salary amount according to the Regional Minimum Wage (UMR). Then, for GPK, private schools are taken from the school teacher, who is concerned with an additional 6 hours of assignment. This is under the provisions of Article 13 paragraphs (5) and (6), which read as follows:

(5) The Regional Government shall facilitate the provision of educators and education personnel at educational institutions organized by the Regional Government and/or the Community, as appropriate.

(6) The Regional Government shall facilitate the provision of incentives for educators and education personnel in educational institutions organized by the Regional Government and/or the Community, under the regional financial capacity.

Then, to improve the ability of educators to carry out their duties in inclusive schools, the Disability Service Unit has held several training or workshops, namely:

1. Basic Education and Training Inclusion education
2. Outdoor Learning Workshop.
3. Curriculum Adaptation Workshop
4. Workshop for School Management of Inclusive Education Providers (SPPI)

For this SPPI Management Workshop, each school usually organizes its own in collaboration with ULD as a presenter/resource person. This is because the participants were stakeholders from the school concerned, namely, Educators and education staff, School Committees, and Representative parents of students.

Additionally, the Yogyakarta City Youth and Sports Education Office, via the Disability Service Unit, implements the Independent Learning Curriculum tailored to the capabilities of students with disabilities. According to an interview with Mr. Drs. Aris Widodo M.Pd, Head of the Disability Services Unit, the Independent Curriculum is already centered on students, tailored to their potential. The Merdeka Curriculum seeks to enhance education for all children, irrespective of their backgrounds. The inclusive education system targets typical children, children with learning obstacles, and others, thereby shifting the focus from students adapting to the curriculum to the curriculum adapting to the students.

Implementing the Independent Curriculum, similar to inclusive education, is urgently needed for the role of schools. Schools must be able to test several things for each student, such as learning readiness or learning style instruments, to determine the level of student needs. Therefore, teachers need flexibility. (Interview with the Disability Services Unit, Monday, May 6, 2024)

Based on the results of an interview with the Principal of SD N Kyai Mojo, Mrs. Fransisca Mujirah S.Pd, accompanied by a Special Assistant Teacher (GPK), her school also implements the Independent Learning Curriculum adjusted to the conditions and abilities of students. (interview with the Principal of SD N Kyai Mojo Yogyakarta, Friday, May 17, 2024). Furthermore, to meet the needs of therapists, the Disability Service Unit fulfills the school's request if there is an application from the school, including an assessment request for students with disabilities who have never been assessed. Because there are too many assessment requests, schools have to wait in long queues. Each school uses a psychologist from the health center in the school area because currently, each health center already has consultation services from psychologists.

The fulfillment of tutoring for students with disabilities does not yet exist. So far, children with disabilities are still living with their parents or with their families. Except for students in Social Institutions under the guidance of the Social Service.

Prevention of bullying and the importance of a sense of security with its diversity.

Article 14 states that every educational institution with students with disabilities provides educational services under the conditions and needs of students with disabilities, and it is affirmative.

Article 15 of the DIY Provincial Regulation Number 5 of 2022 states:

(1) The Regional Government educates education providers, teachers, and students about preventing bullying and creating a sense of security for children with their diversity.

(2). Acts of bullying as intended in paragraph (1) include:

a. physical;

b. physics;

c. verbal

d. social; and/or

e. cyber.

(3). The Regional Government establishes a tiered complaint mechanism to protect students with disabilities and other persons with disabilities from bullying.

Based on interviews with the Disability Service Unit and schools providing inclusive education in Yogyakarta City, so far, there have never been cases of bullying against students with disabilities in Yogyakarta City. From the beginning of PPDB, the school has provided information to parents of prospective students about the inclusion schools. In addition, the school also provides training to all stakeholders involved, ranging from teachers (educators), service staff (education staff), school committees, and parents of students on the implementation of inclusive schools.

Factors that hinder the fulfillment of the right to decent education for children with disabilities in inclusive elementary schools in Yogyakarta.

Lack of teacher competence in dealing with ABK students.

Educators at Inclusive Education Schools (SPPI) are not ready to accept ABK students. Inclusive schools accept and educate children without discrimination in regular schools in the same class. Students according to their diverse potential with the principle of multiple intelligences. The curriculum implemented is flexible, and the process of determining ABK through assessment is used for those detected as ABK using curriculum adaptation.

Educators who are not ready certainly have difficulty dealing with diverse students. Educators must be able to deliver material until students achieve a minimum completeness.

Sometimes parents of regular students also raise objections when their children are joined with students with disabilities, because students' concentration in following the teaching and learning process is disturbed.

Parents' concern for ABK is still lacking.

Some families/parents with disabilities have not actively supported the learning process. As a result of an interview with the Special Assistant Teacher of SD N Kyai Mojo Yogyakarta, Mrs. Nismaya Annisatul Iftitah, SPd., the officials of ABK were invited to the school, but they did not respond. When ABK students are given homework assignments, ABS do not do them. In addition to these cases, some parents are asked for approval to carry out assessments for their children, and parents are present at school. This results in children with disabilities not being able to get an inclusion scholarship because they have not undergone an assessment.

The number of Special Assistant Teachers has been met, but the payment of salary allowances/incentives, especially for private schools, has not been fully financed from APBD sources.

Schools that have not received GPK must pay GPK from independent school fees. Suppose the school in question receives inclusion scholarship assistance. In that case, it is only allowed to take a maximum of 15% per semester of the scholarship received, which can be used to pay GPK if the school does not receive GPK assistance from the Provincial Dikpora or the Regency Dokpora.

Facilities and infrastructure follow needs.

Inclusion schools will, in principle, meet disability-friendly infrastructure facilities if the school has children with disabilities. For example, if ABK students already exist, the school will build sloping areas, disability-friendly toilets, and disability-friendly lanes. While waiting for facilities and infrastructure to be available, the children of ABK do not have access.

V. CONCLUSION

1. Implementation of the Right to Quality Education for Individuals with Disabilities, Students of Yogyakarta City Inclusive Elementary School. The execution of DIY Regional Regulation Number 5 of 2022 is hindered by the absence of its Implementing Regulation and Technical Instructions, necessitating reliance on existing regulations that remain in

effect. The laws and regulations referenced for implementing SPPI in Yogyakarta City include Permendikbudristek Number 48 of 2023, which pertains to Adequate Accommodation for Students with Disabilities. Subsequently, consult the regional laws and regulations: Yogyakarta City Regulation No. 4 of 2019 regarding the Promotion, Protection, and Fulfillment of the Rights of Persons with Disabilities; Regulation of the Mayor of Yogyakarta City No. 129 of 2017 concerning the Establishment, Organizational Structure, Roles, Responsibilities, and Operational Procedures of the Technical Implementation Unit of the Education Office. Perwal Number 129 of 2017 abrogates the Regulation of the Mayor of Yogyakarta City Number 47 of 2008 about the Execution of Inquisitive Education. The respect, protection, and realization of the rights of individuals with disabilities in the DIY Regional Regulation Number 8 of 2022 is executed.

2. Prioritizing students with disabilities to attend school in locations close to their residences and the establishment of Disability Service Units. Scholarship Fulfillment for Students with Disabilities; The disability service unit fulfills appropriate accommodations; Prevention of bullying and the importance of a sense of security with its diversity; Factors that hinder the fulfillment of the right to proper education for children with disabilities, including elementary school students in Yogyakarta City; Lack of teacher competence in dealing with ABK students; Parents' concern for ABK is still lacking; The number of Special Assistant Teachers (GPK) has been fulfilled, but the payment of salary allowances/incentives, especially for private schools, has not been fully financed from APBD sources; Facilities and infrastructure to follow the needs of students with disabilities.

Suggestion.

1. The Yogyakarta City Government, via the Disability Service Unit, aims to organize training or workshops to enhance the competencies of Special Assistant Teachers (GPK), subject teachers (Mapel), and Principals concerning the implementation of Inclusive Education in Schools.
2. It is anticipated that the interaction and communication among the school, GBK, and the parents of students with disabilities will be enhanced.

BIBLIOGRAPHY

Anonymous, 2015, *Kamus Besar Indonesian (KBI)*, Edition 15 , Balai Pustaka: Jakarta.

- Anonymously, 2023, *UAJY Held a Webinar on Inclusive Education Policy and Praxis in Yogyakarta*. (<https://lldikti5.kemdikbud.go.id/home/detailpost/uajy-gelar-webinar-kebijakan-dan-praxis-pendidikan-inklusi-di-diy>)
- Arie Dwi Ningsih, 2022, *Persons with Disabilities Rights and Obligations*, Journal of Tarbiyah Generation: Journal of Islamic Education, Volume 1, Number 2, December 2022, 92 - 100E-ISSN: 2830-182X <https://jurnal.islahiyah.ac.id/index.php/jgt> .
- Asyharinur Ayuning Putriana Pitaloka, et al, *The Basic Concept of Children with Special Needs*. Text Articles. Volume 2, Number 1, January 2022 Ahmad Dahlan University, Yogyakarta
- Burhan Bungin, 2005, *Quantitative Research Methodology of Communication, Economics, and Public Policy of Other Social Sciences*, Kencana: Jakarta
- Dhoka, et al., 2023. *Inclusion Education as an Effort to Overcome Social Problems of Children with Special Needs*, Scientific Journal Citra Bakti (<https://jurnalilmiahcitrabakti.ac.id/jil/index.php/jpicb/index>)
- Mardana and Khoiri Ahmad Khoiri. 2021. *Inclusive Education for Children with Special Needs in Elementary Schools*, Journal of Basic Education Innovation (JIPD)Volume.5 No.1 <https://jurnal.unikastpaulus.ac.id/index.php/jipd/article/view/651>
- Mohammad is a divine destiny. 2013. *Inclusive Education: Concepts and Applications*. ArRuzz Media, Yogyakarta.
- To the Earl of Derbyshire, *Inclusive education*, Journal of Eduhumanities, vol 2. No. 1 <https://ejournal.upi.edu/index.php/eduhumaniora/article/view/27555>
- Sekaran, U. B. R. 2017, *Research Methods for Business Development-Expertise Approach*, Salemba Empat, Jakarta.
- Soerjono Soekanto, 1983, *Qualitative Legal Research Methods*, PT Raja Grafindo Persada, Jakarta.
- Sugiyono, 2017, *Quantitative, Qualitative, R&D Research Methods* , Alfabeta: Bandung.
- Widhia Arum Wibawana, 2022, *What is Disability? Get to Know the Types and Rights of Persons with Disabilities*, Detiknews, Friday, December 2, 2022. (<https://news.detik.com/berita/d-6438992/apa-itu-disabilitas-kenali-jenis-dan-hak-penyandang-disabilitas>)
- Wiwik Afifah and Syofyan Hadi, 2018, *Regulation of Disability Education Rights (in preparation for the application of humane technology)*, SEMATEKSOS Proceedings 3 "National Development Strategy to Face the Industrial Revolution 4.0"

List of Laws and Regulations

1945 Constitution Amendment 2022

Law Number 39 of 1999 concerning Human Rights

Law Number 19 of 2011 concerning the Ratification of the Declaration on the Rights of Disabled Persons (1975)

Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2004 concerning Child Protection.

Law Number 18 of 2016 concerning Persons with Disabilities

Law Number 20 of 2003 concerning the National Education System.

Online Media News.

<https://www.kemendikbud.go.id/pemerintah-wajib-penuhi-hak-pendidikan-inklusi-bagi-penyandang-disabilitas>) accessed Monday 6 May 2024 at 16:44

