

# Legis Ratio of School Zonation System In Receiving New Students

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## ABSTRACT

Education is a process or effort of every nation that is unbroken in nature at all levels of human life, in accordance with the development of society and culture that aims to achieve perfection and maturity in humans, so that with awareness and responsibility can face various problems of life. [1] It can be said that education is the key to the success of a nation, because education can improve the nation's Human Resources. Based on this the government issued regulations that regulate everything about education so that education in Indonesia is right on target and in line with expectations. One of them is the Minister of Education and Culture Regulation Number 20 of 2019 concerning Amendments to the Minister of Education and Culture Regulation Number 51 of 2018 concerning the Acceptance of New Students in Kindergartens, Elementary Schools, Middle Schools, High Schools, and Vocational High Schools . Wherein the Minister of Education and Culture Regulation No. 20 of 2019 is regulated regarding the school zoning system. in which regulates the school zoning system. The research method used in this study is to use normative juridical legal research methods, with 2 (two) approaches, namely: statute approach and conceptual approach. The formulation of the problem of this research is: What is the legis ratio in Minister of Education and Culture Regulation Number 20 Year 2019? The results of this study indicate that the legis ratio of the Minister of Education and Culture Regulation No. 20 of 2019 is that the acceptance of new students can be done objectively, accountably, transparently, and without discrimination. In addition, there is also an equitable distribution of quality education.

**Keywords:** PPDB, Education, National Education, School Zoning

## 1. INTRODUCTION

Education is a conscious and planned effort to create an atmosphere of learning and learning process so that students actively develop their potential to have spiritual spiritual strength, self-control, personality, intelligence, noble character and skills needed by themselves, society, nation and state. This is in accordance with Law No. 20 of 2003 concerning the National Education System (Purbopranoto, 1976).

One of the efforts of each nation to improve the quality of human resources so as to help facilitate the implementation of development is through education. It can be said that education is a basic aspect of life of a nation. The future of a nation is strongly influenced by the quality of the human resources of society formed through education. The directed education process will bring this nation towards a better civilization (Roesli et al., 2018). On the other hand, the undirected education process will only take up time, energy and funds without results. It can be said that every country or nation always organizes education for the national ideals of the nation concerned.

Education is one of the Human Rights regulated in article 31 paragraph 1 of the 1945 Constitution of the Republic of Indonesia. Even in article 31 paragraph 4 of the Constitution of the Republic of Indonesia it is stated that the State prioritizes the education budget of at least 20%



(twenty percent ) from the state budget (APBN) and from the regional budget (APBD) to meet the needs of national education. This shows that the country is really serious about advancing the nation through education.

For the sake of achieving a good and appropriate education system, the government has issued various regulations on education. Among them is Law Number 20 Year 2003 concerning the National Education System (P. M. Pendidikan & Indonesia, n.d.). The law is an embodiment of the 1945 Constitution of the Republic of Indonesia in the field of national education. Under Law No 20 of 2003 concerning the National Education System there is the Minister of Education and Culture Regulation Number 20 of 2019 concerning Amendments to the Minister of Education and Culture Regulation Number 51 of 2018 Regarding the Acceptance of New Students in Kindergartens, Primary Schools, Schools Junior High School, Senior High School, and Vocational High School. Wherein the Minister of Education and Culture Regulation No. 20 of 2019 is regulated regarding the school zoning system (Haji, 2016). What is the legal ratio of the Minister of Education and Culture Regulation Number 20 of 2019 concerning Amendments to the Minister of Education and Culture Regulation Number 51 of 2018 Regarding the Acceptance of New Students in Kindergartens, Elementary Schools, Middle Schools, High Schools, and Vocational high School?

## **2. RESEARCH METHODS**

### **1. Types of Research**

This type of research used in this study is normative legal research, this research focuses on basic legal norms or the constitution and statutory regulations (statute approach), which relates to the issues examined as main data, namely investigating or reviewing constitutional issues related to the process of accepting new students using the school zoning system

### **2. Research Approach**

The approach used in this research is the 1945 Constitution approach and other statutory regulations (statute approach)

## **3. RESULTS AND DISCUSSION**

Education is the spearhead of the football of a country or nation. Through state education trying to improve the quality of the community. Because of high human resources, the opportunity to become a developed country is also higher (Kristiawan & Sari, n.d.). Through high human resources, it is expected to be able to increase national development. The pace of development is always pursued along with the times. For this reason, the Government has made various efforts and innovations in the world of education. This was done no other than because they wanted to make the Indonesian people more advanced and prosperous as our founding fathers had hoped. Even

education is a mandate from the 1945 Constitution of the Republic of Indonesia specifically regulated in article 31 paragraph 1 to paragraph 5 (Indonesia, 2003).

Education is divided into two namely formal and non formal education. Formal education is through school bodies either from the government or managed by the private sector. Form of education is formal education where we know schools, from kindergarten level, elementary school and madrasah ibtidaiyah, junior high school or which we often know by the name of junior high school or junior high school and madrasah tsanawiyah or better known as MTS, secondary school above or often we are familiar with the names of high school (high school) and vocational high school (Vocational High School) or other forms of equivalent such as madrasah aliyah or MA, to the level of tertiary education. While non-formal education can be in the form of tutoring outside of school such as private tutoring, home schooling and the like.

It is no longer counted how much money has been poured out by the government for the smooth teaching and learning process in Indonesia (K. Pendidikan & Indonesia, 2019). There are several breakthroughs made by the government in order to achieve educational goals. Starting from the government program on compulsory education for 12 years where students can study free of charge at government-run schools, school operational assistance funds, scholarships for outstanding students such as Bidik Misi, and many others until the enactment of several regulations on education such as Law Number 20 of 2003 concerning the National Education System, Minister of Education and Culture Regulation Number 20 of 2019 concerning Amendments to the Regulation of the Minister of Education and Culture Number 51 of 2018 concerning the Acceptance of New Students in Kindergartens, Elementary Schools, Schools Junior High School, Senior High School, and Vocational High School (Ahmad et al., 2019).

What we need to pay attention to is in article 16 paragraph 1 of the Regulation of the Minister of Education and Culture Number 20 Year 2019 which reads *"Registration of PPDB is carried out through the following types: a. zoning b. achievement c. transfer of duties of parents / guardians "*. Whereas in paragraph 2 it is stated that *"the zoning route as referred to in paragraph (1) letter a is at least 80% (eighty percent) of the school's capacity"*.

Whereas Article 18 paragraph 2 of the Minister of Education and Culture Regulation Number 20 Year 2019 reads *"Domicile of prospective students as referred to in paragraph (1) based on the address on the family card issued at least 1 (one) year prior to the implementation of PPDB."*

From the aforementioned article, the application of the zoning system requires prospective new students to study in schools that have the closest radius of their homes or domiciles. The government wants a student acceptance system that is objective, accountable, transparent, and without discrimination in order to increase access to education services. So far, the method of

accepting new students is always based on the report card grades or the value of the results of the joint entrance of the school concerned considered ineffective no longer effective. Because with such a system there will be an uneven education where smart students will gather to become one in a favorite school. Thus prospective students who have below average ability do not have the opportunity to receive education in a bona fide school. The formation of favorite school blocks like this will make education uneven and have a negative impact on the quality of human resources in Indonesian society.

Making friends with our perfumer will join us, our friend with our oilman will smell the oil. This proverb might be suitable to describe the student acceptance system based on values. Prospective students who have above average academic abilities will gather together and become increasingly smart because every day they hang out and gather with children who are smart and have good ethics too. Vice versa, prospective students who have below average academic ability will gather into one in a school that might be rated as a non-bona fide school and there is a possibility that they will be difficult to be invited forward and have good ethics because every day they gather with students the less clever and less ethical. With the enactment of this school zoning system, it is expected that there will be an even distribution of education. Students who are smart or above average academic ability are able to control their friends who are still academically behind. There is no longer a school customization, there are no more favorite and non-favorite schools, no more smart students gathering with smart students, no more rich students gathering with rich students and poor students gathering with poor students, all schools which is managed by the government has the same quality and quantity of education so that it will give birth to good, qualified, and equitable human resources.

With the school zoning system that requires schools managed by the government to accept at least 90% (ninety percent) of new students based on zoning as regulated in Minister of Education and Culture Regulation Number 20 Year 2019 Concerning Amendments to the Minister of Education and Culture Regulation Number 51 Year 2018 About the Acceptance of New Students in Kindergartens, Elementary Schools, Middle Schools, High Schools, and Vocational High Schools. , it will suppress the practice of KKN (Corruption Collusion of Nepotism) in the world of education, especially in the acceptance of new students (Arifin & Irsan, 2019). It is common knowledge that for prospective new students whose grades are below average but want to go to a favorite school through the back track or we usually call it the term "bribing" interested parties. Prospective students are required to prepare some "facilitation payments" to buy a seat in the desired school. That way prospective students can certainly be accepted at the desired favorite school even though the value of the selection results is less or does not meet the standards to be accepted at the school.

In article 16 paragraph (1) letter c Permendikbud Number 20 of 2019 it is mentioned about registration of PPDB with the transfer of duties of parents / guardians. This aims to facilitate the supervision of parents of children, while the parents are on duty outside the city or far from the address indicated on the family card such as members of the military or police who work outside the city.

In addition to some of the above, with the enactment of this school zoning system, the distance from home to school will be getting closer. The risk of accidents on the way to and from school will be minimized because of the close distance (Rudianto & Roesli, 2019). Parents find it easier to supervise their children attending school because of the distance that is easily reached. Parents make it easy to monitor their children's relationships and activities at school. Thus it is expected that students and the young generation of the nation will not be wrong in association and fall on the wrong paths such as juvenile delinquency to consuming drugs.

#### **4. CONCLUSION**

School zoning system implemented by the government through Minister of Education and Culture Regulation Number 20 Year 2019 concerning Amendment to Minister of Education and Culture Regulation Number 51 Year 2018 Regarding Acceptance of New Students in Kindergartens, Elementary Schools, Junior High Schools, Senior High Schools, And the Vocational High School aims to create an even distribution of education where school castration has been happening all along. With the regulation of this zoning system there will be no more favorite schools where students who are good at gathering to become one, rich students will become one. Students will blend into one based on the school zone regardless of their background. The school zoning system regulations will suppress and even eliminate the practice of buying and selling school benches which are rife when the new student registration season. Because the acceptance of new students is not based on report card grades or the results of joint selection, but based on the distance between home and school. The school zoning system will bring students closer to their families, so that parents of students will be easier to supervise or control the activities and relationships of students in schools. In addition it will minimize the risk of accidents on the way to and from school.

#### **Suggestions**

1. The government should equalize facilities in each school before implementing the zoning system.
2. The government should equalize the human resources of teaching staff in each school before implementing the zoning system

3. The government prioritizes equal distribution of education in remote areas so that the quality of education in Indonesia is more equitable.

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