

CHAPTER ONE

INTRODUCTION

A. Background of Research

Zoning school system policy adopted in the new student admission does not only cause criticism but also trigger actions taken by number of students, parents and teachers. On Tuesday, May 29, 2018, a junior high school student of SMPN 1 Blitar City with the initial 16-year-old EP was found dead by hanging herself in his boarding room. One of the factors motivating EP to do the action was the implementation of the zoning school system which was considered to reduce her opportunity to enter favourite school, namely SMAN 1 Blitar City.¹

Likewise, the action took place in Yogyakarta was due to implementation of the zoning school system policy. The peaceful action with the theme “Love Letter to the Minister” at Jogja monument (*TUGU JOGJA*) was an expression of disappointment expressed by some of student's parents who joined Special Yogyakarta Community Care Education Forum. They demanded to add more quota for the admission of new students through selection of achievement rather

¹Erlina Riady, “Pesan Terakhir Pelajar Gantung Diri di Blitar”, <https://news.detik.com/berita/d-4045914/pesan-terakhir-pelajar-gantung-diri-di-blitar>, accessed on 16 October 2019, at 8:27 AM.

than acceptance of the quota through the zoning system which was considered detrimental to prospective new students who would register.²

Determination of zoning school system in new student admission is based on the Regulation of the Minister of Education and Culture of the Republic of Indonesia Number 51 of 2018 regarding New Student Admission. The purpose of zoning system policy applied in new student admission is to correct the previous new student admission system which creates unwanted things, especially there was a very sharp gap between one school and another as 'favourite and non-favourite schools' because of the accumulation of students with good performance and well-off families in a school as a result of tiered selection.³

However, the emergence of various negative reactions from the society to the zoning school system policy in new student admission shows that the implementation of zoning system is not a solution to correct the previous new student admission system. In fact, it has created new problem in the community. This matter is an important concern for the government and all people of Indonesia, because it is related to the issue of education which is one of the

²PraditoRidoPertana, “AksiProtesSistemZonasi PPDB 2019 Digelar di TuguYogya”, <https://news.detik.com/berita-jawa-tengah/d-4596755/aksi-prot-es-sistem-zonasi-ppdb-2019-digelar-di-tugu-yogya>, accessed on 16 october 2019, at 8:54 AM.

³ Muhadjir Effendy, 2018, “PolemikSistemZonasidalamPenerimaan Murid Sekolah”, Sapa Indonesia Malam Kompas TV”, <https://youtu.be/Yvnsno40suQ>, accessed on 17 October 2019

government's programs in achieving the goals of the Republic of Indonesia as stated in the Preamble of the 1945 Constitution of the Republic of Indonesia that one of the objectives of state is to educate life of a nation”.

In addition, education is the constitutional right of every person guaranteed by the 1945 Constitution of the Republic of Indonesia as stated in Article 28 C Paragraph (1) which says that "Everyone has the right to develop themselves through meeting their fundamental needs, has the right to receive education and benefit from science and technology, arts and culture, for the sake of improving the quality of life and for the welfare of humanity." Then, Article 28 E Paragraph (1) says that "Everyone is free to embrace religion and worship according to his religion, choose education and teaching, choose work, choose citizenship, choose a place to live in the territory of the country and leave it, and the right to return".

Therefore, it is the duties of government to organize an education program with development assistance for education. The government has to conduct expansion and equity educational opportunities that encourage development where everyone has the same opportunity to obtain education without changing gender, social status, economy, religion and geographical location.⁴

In addition, the implementation of education must be based on the principles of implementation of education as contained in Law Number 20 of

⁴RedjaMudyahardjo, 2001, *Pengantar Pendidikan*, Jakarta, PT. RajagrafindoPersada, p. 438-439.

2003 concerning the National Education System Article 4 Paragraph (1) which states that "Education shall be conducted in a democratic and fair and non-discriminatory manner by upholding human rights, values religious, cultural values, and national diversity ", including the determination of the zoning system contained in the Minister of Education and Culture Regulation must not conflict with the 1945 Constitution and the principles of the administration of Indonesian Education.

So, in this scope the research evaluates the concept of zoning school system policies in a constitutional perspective and its application in Yogyakarta. In this study, the field research is conducted in two of the best state junior high schools in Yogyakarta Province in 2019 entitled: "**The Concept and Implementation of School Zoning Policy in Yogyakarta: Constitutional and Practical Perspective**".

B. Research Problem

Based on the background that has been described, the problems to be discussed are:

1. How is the concept of school zoning system policy in new student admission from constitutional perspective?
2. How is the implementation of school zoning system policy on new student admission from constitutional and practical perspectives in Yogyakarta?

C. Research Objective

1. To find out the concept of zoning school system policy applied by the government in new student admission in a constitutional perspective.
2. To analyze the implementation of zoning school system policy in new student admission from constitutional and practical perspectives in Yogyakarta.

D. Research Benefit

This research was conducted in the hope that it would provide several benefits:

1. Theoretical Benefit

This research gives contribution to development of legal science especially regarding the concept of school zoning system.

2. Practical Benefit

This research gives this recommendation on the Right to Freedom of Education policy conducted by the Minister of Education of the Republic of Indonesia.