

Zoning System of Education as a Strategy for Equalizing Education Quality in the Disruptive Era (Legal Aspect Review)

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Abstract

Zoning system of education, as a strategy to improve service and equalization of education quality, practically has received pros and cons response among Indonesia society. It is indicated by emerging problems such as the abuse of Certificate of Inadequacy and the different interpretation of zoning rules in the society. In this research, the zoning system of education is reviewed from a legal perspective. Zoning system of education is regulated under the Regulation of Ministry of Education and Culture Number 14 Year 2018 on Education Zone. This system is able to minimize the gap and competition between the educational institutions. Moreover, this zoning system can evaluate the teacher needs and teacher distribution thus the equalization of education quality can be realized. By using the method of document study and critical analysis, it is found that the zoning system of education does not conflict with Government Act Number 17 year 2010 on Educational Conduct and Management. Therefore, the zoning system of education has a clear legal basis and positive impacts for improving education quality in disruptive era which demands rapid adjustment of conditions.

Keywords: zoning system, equalization of quality education, legal review, clear legal basis

Introduction

Technology advances, trade between countries, cultural exchanges, tourism, concern for the environment, market competition, scarcity of natural resources and increasingly tight arms races between superpowers are an illustration of the increasingly complex conditions of the international community. The existence of interdependence between nations and countries raises forms of cooperation in all fields although it also leads to competition and conflict. The wave of internationalization is getting stronger and cannot be prevented again for a country in association between nations in the world. Countries in the world, both developed and developing countries, are faced with two major currents that influence all existing political, economic, and socio-cultural settings. The current of globalization and disruption is a wave that is currently very difficult to be avoided (Tilaar, 2000:257).

The current of globalization has a considerable impact on various fields of human life, including the education field. The education world is supposed to create people who have the knowledge and skills needed by the industrial world and the working world. Therefore, there must be a connection between the education world and the working world. The curriculum in the education world has to be adapted with demands and global conditions, thus the output produced is in accordance with the needs of the workforce (Ronald G and Smith, 1999). In this regard, in Indonesia, a Competency-Based Curriculum appears that is expected to be able to produce a competitive generation in the world association.

Countries in various parts of the world have to face very rapid and fundamental changes (disrupted flows) despite of their condition. It will influence and change even mess all existing arrangements, including the arrangements in the education field. The disruption phenomenon will drive the movement of the industrial world and the working world to the condition which is no

longer "linear". The phenomenon, directly or indirectly, encourages humans to determine certain initiations and patterns in various fields of life (Jati, 2000:7).

Changes and advancements in the fields of information technology, communication, transportation and industrial world significantly give impacts to the education pattern of Indonesia, such as e-mail communication services, long distance education, online tutorial programs, and the blended learning. The online selection system for students or new students and online exam models are currently continuing to bring the consequences of considerable changes to the education world. The disruption era leads people to the shadows that are increasingly real. Disruption has brought people into natural law in the wild nature.

The law will have a strong control power over the community. With a strong legal basis, the Indonesian education system can continue to run by adhering to legal instruments that adhere to the values of *Pancasila* and the Constitution of the Republic of Indonesia year 1945. This paper will examine the zoning system of education as a strategy for equalizing the quality of education from a legal perspective. By using the method of document study and critical analysis.

The Education Quality in Indonesia

Improving the education quality in Indonesia becomes the prerequisite for dealing with the current globalization and disruption. Education as a process of cultural transformation actually becomes a tool for the changes and the culture dynamics of society and nation. Therefore, education provided by guidance, teaching and training must be able to meet the demands of potential development of students to the fullest, both intellectual, spiritual, social, moral, and aesthetic potential thus a full maturity or personality is formed. Through these activities, which are the main forms of the education process, the survival of individuals and communities will be guaranteed.

There are several things that are needed to be considered for improving the quality of education in Indonesia such as innovation of education, paradigm changes, policies in education, and educational management. The innovation ability of a society or a nation, which uses the intelligence and information for giving birth to new ideas, is needed to be applied in real life. Nations that are not innovative will be engulfed by a wave of globalization. The progress of science, especially information technology and communication will give birth to various types of innovations. An innovative nation will be a superior nation in global competition. Education does have to create a nation's competitiveness (Tilaar, 2002: 25). Education is a systematic, planned and directed process in developing children's potential thus maturity is achieved according to the demands of social roles in the community. Currently, educational managers have to change the management paradigm of education. Education should be seen as a social institution that is used to develop human resources, which are managed professionally by adhering to the national characteristic.

John Naisbeet (2000) in his book "The Global Paradox", explained that we are in an all-changing world. The global era and disruption era where the values of human life continue to change with all its dynamics must be addressed intelligently and realistically. This means that the era does not need to be challenged, but it should be followed by various adjustments thus it will be relevant to the values, development and needs of the Indonesian people. In other words, we have to think globally and still behave as Indonesian.

Along with the massive changes in the social life system such as the development of information, transportation, and other aspects, several aspects in education need paradigm shifts, such as learning and how to handle children. Daft (2010: 308) explained that there are four important issues related to the management in contemporary developments such as (1) people who truly become more competitive over global developments, (2) the right people to improve quality, innovation and customer service, (3) the right person to fill a merger and acquisition business, (4) the right person to implement new information technology for network-based businesses. Good education may only be managed in a good way, by people who have the best quality education commitment. The quality of national education needs to be continuously improved which is carried out as an integral part of the national development program thus it can produce high-quality human beings. Human capital is a

human with economic value, knowledge, experience, skills, and abilities of employees as human resources for the nation (Daft, 2010: 309).

Zoning System of Education as A Strategy for Equalizing Education Quality

The zoning system is a Government policy that aims to realize the improved services and equalization of the education quality in Indonesia. The zoning system is applied the dichotomy of the favorite and ordinary schools. Schools with favorite status tend to choose students with superior qualifications. The facilities, student guardian support and concentration of teachers who have the ability to be more in a favorite school. As a consequence, it gives the rise to inequality between the schools. With this zoning system, the quality of education is expected to be evenly distributed in Indonesia. The problem of distinguishing favorite and non-favorite schools can be solved.

The efforts to evaluate the implementation process of zoning system policies can be done through the concept of effectiveness. This concept is one of the factors to determine whether it is necessary to make significant changes to the concept and management of prospective student admissions. Some theories explain that an effectiveness is a measure that states how far the target (quantity, quality, and time) has been achieved. The greater the percentage of the target achieved, the higher the effectiveness

The current zoning system is still regarded as a government policy to improve and equalize the education quality although there are still pros and cons to this policy in the community. Nevertheless, the rules regarding the efforts to improve the education quality still can be developed to oversee changes in the era of disruption. The breakthroughs in the field of law can be used to oversee the disruption nowadays.

All this time, there has been a grouping between favorite schools and non-favorite in the education world of Indonesia. Smart students tend to be in certain schools, while other schools have students who are less intelligent or mediocre. This is what creates a 'caste system' in the education world. This mindset needs to be eliminated thus there will be no more favorite school terms or non-favorites in the future. All schools should have the same quality (Mashuri, Kompasiana.com).

In this regard, the Government is seeking to minimize the problems with the zoning system through the Minister of Education and Culture Regulation No. 14 of 2018 concerning to Prospective Student Admission in Kindergartens, Elementary Schools, Junior High Schools, High Schools, and Secondary Schools Vocational. This regulation aims to revitalize the implementation of prospective student admissions to become more objective, accountable, transparent, non-discriminatory, and equitable manner thus it can improve the services and the quality of education. The zoning system is a form of policy adjustment from the clustering system. focuses more on the achievement of students in the academic field, while the zoning system places more emphasis on the distance or the radius between student's home and school. In other words, student who is closer to the school is more entitled to education services from the school.

Zoning policy is a system of prospective student acceptance based on the radius and the distance. Through the zoning system, it is expected that all students will get the education that is located close to their home. The advantages of this system are the equalization of education, time savings for students due to the close school, more efficient transportation costs, healthier students, and reduction of congestion especially for big cities.

The Regulation of Ministry of Education and Culture Number 14 year 2018 in Article 16 states that schools organized by regional governments must accept prospective students who live in the radius of the closest zone of the school at least 90 percent of the total number of students received. This zoning system is able to minimize the gap and competition between educational institutions, both public education and private education. Thus, equitable access to education for all groups can be guaranteed.

For the educators, the qualified teachers will no longer be grouped in one school but in all schools. Heterogeneous student conditions require teachers to be more creative in teaching and learning activities. Another benefit of the zoning system is to evaluate the needs and distribution of teachers.

Teachers who have the potential can be transferred to regional schools thus the equalization of education quality can be stimulated.

Legal Review of Equalization of Education Quality in Indonesia through the Zoning System

Efforts to improve the services and the education quality in the disruption era require the control power in making adjustment and guarding changes. One of the possible ways is by releasing legal policies to improve the education quality. The formation of regulations in Indonesia must be in accordance with the legal foundations which are the philosophical, juridical, and sociological foundations.

A legal norm fulfills a philosophical foundation when it corresponds to the philosophical values adhered by the country. Like Hans Kelsen's (1975) view of "*gerund norm*" and Nawiasky about "*staatsfundamentalnorm*", in every country there are always the determined basic values or philosophical values that are believed to be the source of all the noble sources of value in the life.

A regulation must have a juridical basis, which is made by authorized officers and cannot be contradictory with higher-level laws and regulations. Furthermore, the sociological foundation which determine the formulated regulations must be in accordance with the values and norms, legal awareness in the community, thus the regulations which is made can be implemented.

According to the three bases, The Regulation of Ministry of Education and Culture Number 14 year 2018 which regulates the Education zoning system still receives rejection from the community at the beginning of its implementation, especially parents whose children have high academic potential. This refusal happened because their children cannot register in a favorite school outside the determined zone.

Before the implementation of the zoning system, there had been a *rayonization system* regulated in The Regulation of Government Number 17 Year 2010 concerning to Management and Implementation of Education. This regulation was changed to The Regulation of Government Number 66 Year 2010. From the contents of Article 53 A paragraph (1) in the regulation, which states: "Secondary education units and higher education units organized by the government or regional government in accordance with their respective authorities must allocate places for prospective Indonesian citizenship students, who have sufficient academic potential and are economically disadvantaged, at least 20% of the total number of new students ". From the stated regulations, it can be concluded that The Regulation of Ministry of Education and Culture Number 14 year 2018 is the implementation of Article 53 A paragraph (1) I The Regulation of Government Number 66 Year 2010 concerning to Amendments to The Regulation of Government Number 17 Year 2010.

Conclusion

The era of disruption brings very rapid and fundamental changes thus it can change all existing arrangements. Therefore, the government cannot avoid the change, but it can accept it by taking control and sticking to the basic principles of the *Pancasila* ideology. To deal with this, the government implements a zoning system in the education sector through The Regulation Ministry of Education and Culture Number 17 Year 2018.

The policy of equalizing the education quality requires a legal regulatory foundation in order to take control and deal with disruption and globalization. Legal regulations in the field of education must consider the philosophical, juridical, and sociological applicability thus the legal regulations issued can be effective. The Regulation of Ministry of Education and Culture Number 17 Year 2018 is the implementation of Article 53 A paragraph (1), The Regulation of Government Number 66 Year 2010 concerning to Amendments to Government Regulation No. 17 of 2010. But in its implementation the regulation was rejected by a small portion of the community. This shows that there are still discrepancies with the values and legal awareness of the community.

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