



Fulfilling of the Right of Persons with Disabilities to Improve the Quality of Educational Services in The Province Of Gorontalo

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Abstract: As stated in the Decree of the Minister of State Apparatus Empowerment Number 63 of 2003 concerning General Guidelines for the Implementation of Public Services, the implementation of public services adheres to the principle of equal rights where there should be no discrimination in public services, including in this case for people with disabilities. To fulfill the rights of people with disabilities in educational services, the Gorontalo Provincial Government issued Governor Regulation Number 41 of 2015 concerning the Implementation of Inclusive Education Gorontalo Province. This study aims to analyze efforts to fulfill the rights of people with disabilities, especially in the field of primary and secondary education in Gorontalo Province with a comparative approach between theory, previous research and research results. The results of this study indicate that one of the efforts made by the government is through inclusive education, but in its implementation there are still various obstacles, such as limited human resources (Special Education Teachers and Psychologists), limited employment opportunities for SLB graduates, the absence of special scholarships and lack of parental awareness to send children with special needs to school.

Keywords: Disability; Education; Inclusive

1. Introduction

Based on Law Number 25 of 2009 (*UU Nomor 25 Tahun 2009*, n.d.) regarding public services, it is stated that public service is an activity or series of activities in order to fulfill service needs in accordance with statutory regulations for every citizen and resident for goods, services, and/or administrative services provided by public service providers.

Next in The Decree of the Minister of State Apparatus Empowerment Number 63 of 2003 concerning General Guidelines for the Implementation of Public Services states that the implementation of public services adheres to the principle of equal rights where there should be no discrimination in public services (*Keputusan Menteri Pendayagunaan Aparatur Negara Nomor_63_2003*, n.d.). Based on these two regulations, it can be concluded that in public services, every citizen including persons with disabilities has the right to receive public services, whether it is services for goods, services, and administrative services.

As stated in Law Number 8 of 2016 concerning Persons with Disabilities, states that a person with a disability is anyone who experiences physical, intellectual, mental, and/or sensory limitations for a long period of time, which in interacting with the environment may experience obstacles and difficulties in participating fully and effectively with other citizens based on equal rights (*UU Nomor 8 Tahun 2016*, n.d.). The rights of persons with disabilities include the right to life, freedom from stigma, privacy, justice and legal protection, education, employment, entrepreneurship and cooperatives, health, politics, religion, sports, culture and tourism, social welfare, accessibility, public services, protection and disaster, habilitation and rehabilitation, concessions, data collection, living independently and being involved in society, expressing themselves, communicating, and obtaining information, moving and citizenship, and freedom from discrimination, neglect, torture, and exploitation.

However, various problems are faced by persons with disabilities, especially in fulfilling rights in public services. Various studies have written about several obstacles ex-

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perienced by persons with disabilities, as in the research conducted by Dandi Darmadi et al. (Darmadi et al., 2021) in Sidoarjo Regency, which found that public services focused on 7 points of human governance principles for persons with disabilities have not been fully met, particularly in the aspects of accountability, civic education, equality and freedom, sustainability, and adaptive government performance. Next, research conducted by Jane Kartika Propiona (Propiona, 2021) found that public facilities for persons with disabilities are still not optimal because there are still public facilities that are not friendly or even inaccessible to persons with disabilities. Similar research discussing public services for persons with disabilities conducted by Taufik Irfadat (Irfadat & Nurlaila, 2021) found among other things, that staff have difficulty communicating when providing services to persons with disabilities, staff still show a lack of empathy in serving persons with disabilities, there are still facilities that do not support the activities of persons with disabilities, and there is no special service flow for persons with disabilities.

Furthermore, research conducted by Didi Tarsidi (Tarsidi, 2011) shows that several obstacles experienced by persons with disabilities in accessing public services include architectural barriers, information and communication barriers, and internal barriers within persons with disabilities themselves, as well as a lack of community support for the self-development of persons with disabilities in accessing public services. Research conducted by Irfan Setiawan (Setiawan & Kusuma, 2023) regarding public services shows that there are still obstacles in the use of disability-friendly facilities provided by the Purworejo Government, such as the lack of understanding among the public and public service officers about how to use disability-friendly public service facilities.

Some of the studies presented only focus on the accessibility of persons with disabilities in public services. Meanwhile, in Gorontalo Province, almost all the rights of persons with disabilities in the field of education (nine years of compulsory education) have not been fulfilled as shown by data obtained from online news (Dwifriansyah, 2024) that out of the total number of persons with disabilities in Gorontalo Province, which is 24,344 people, almost Overall, they did not complete the 9-year compulsory education. In addition, 17.74% of the total number of persons with disabilities fall into the poor category. These data show that the rights of persons with disabilities in Gorontalo Province especially in the field of education have not been fulfilled. In Law Number 8 of 2016 concerning Persons with Disabilities, it is stated that fulfillment is a conscious effort to fulfill, implement, and realize the rights of persons with disabilities (*UU Nomor 8 Tahun 2016*, n.d.).

Based on various previous studies, there is a gap between regulations and reality in Gorontalo, including the limited number of special assistant teachers, infrastructure and physical accessibility that are not disability-friendly, the persistence of social stigma and cultural readiness, and the uneven distribution of resources because they are often only concentrated in cities or district centers, so that students with disabilities in remote areas often have to travel long distances to special schools (SLB).

Therefore, through this research, efforts to fulfill the rights of persons with disabilities, especially in the field of primary and secondary education in Gorontalo Province, as well as the factors that hinder the fulfillment of the rights of persons with disabilities in the field of primary and secondary education in Gorontalo Province. Significantly, this research contributes through several dimensions, namely firstly in the empirical validation of the inclusion model where this research looks at the extent to which the concept of inclusive education or education for all is applied to classroom practice in order to help shift the paradigm from simply placing students with disabilities in regular schools to creating an adaptive system.

In addition, this research also provides a contribution from an intersectional perspective regarding the interaction and relationship between education for people with disabilities and economic factors so that the research can provide innovations regarding the rights of people with disabilities in the education sector.

2. Materials and Methods

This research uses a descriptive research method with a qualitative approach in order to provide a detailed and comprehensive picture of the research results obtained in the field. Data collection in this study was carried out through observation, interviews, and documentation. The data collected focuses on improving the quality of public services, especially in the field of education for persons with disabilities, which will later be analyzed using a comparative approach (side-by-side) between service theory, inclusive education, previous findings, and empirical research results. Observations were carried out at two locations, namely the Gorontalo Provincial Education Office and the Special Needs School in Gorontalo City. The Gorontalo Provincial Education Office was chosen as the research location because it is the institution responsible for secondary and special education. The Special Education School (SLB) was chosen because the Gorontalo City SLB covers elementary through high school. Furthermore, the Gorontalo City SLB offers comprehensive, disability-friendly facilities, including a dormitory to accommodate students living far from the city.

Observations were conducted during working days over a period of 1 week. During the observation, the researcher also began to prepare research instruments (interview guidelines) based on theoretical studies from various related documents and empirical studies from the observations conducted. Furthermore, the research team conducted interviews with 4 informants from the Department of Education and 2 informants from the Special Needs School. The interview process was conducted over 4 weeks on working days. During the interview process, the research team collected data and documents needed to support the results of observations and interviews. Documents were collected using smartphones to take pictures, record the interview process, and scan physical documents related to the research.

After the data collection process is complete, the team will then gather all data and documents obtained in the field, which will then be checked for validity through data triangulation. Data deemed valid will then be processed and analyzed until conclusions are drawn. Data processing begins with data reduction, where data obtained from interviews will be reduced into narrative text whose language is changed to scientific and in accordance with EYD. The reduced data is then presented, compared, contrasted, and elaborated with relevant theories related to the research. In the final stage, conclusions are drawn.

3. Results and Discussion

Public services cover various sectors, such as health, education, transportation, environment, and security. Public services are considered part of the government's responsibility to provide fair and equitable access to all members of society to the necessary services. Public services are services provided by the government or related agencies to meet the needs of the community that aims to ensure public welfare and satisfaction as well as maintain social order. In general, public services can be categorized into three main types, namely basic public services, non-basic public services, and special public services, in which educational services are part of basic educational services that include primary and secondary education services, as well as access to higher education (Hayati et al., 2024).

As one form of basic services, which means the most fundamental and essential services that must be provided by the government to guarantee the basic rights of society and a decent standard of living for all, including persons with disabilities. Through Law Number 8 of 2016 concerning Disabilities, the Government guarantees the survival of citizens with disabilities so that they have the same legal standing and human rights as other citizens, including the right to public services. Public services for persons with disabilities include two things: first, the right to obtain reasonable accommodation in public services optimally, fairly, with dignity, and without discrimination. Second, the right to assistance, interpretation, and the provision of easily accessible facilities at public service locations without additional costs (Wijayanti, 2024). Law Number 8 of 2016 concerning

Disabilities stipulates the guarantee of the right to quality education at all levels, either inclusively or specifically, including opportunities as educators or students.

One of the rights of persons with disabilities is to receive educational services that are of quality in educational institutions, for which the provision of reasonable accommodation for persons with disabilities is needed, whether by the central or regional government (Admin, 2020). To support the fulfillment of the rights of persons with disabilities, the Gorontalo Provincial Government has issued Gorontalo Governor Regulation Number 41 of 2015 concerning the Implementation of Inclusive Education. Empirical research results show that the fulfillment of the rights of persons with disabilities in the field of education through disability services in Gorontalo Province still faces various obstacles and challenges, including the lack of competent teachers, in this case, teachers with special education/extraordinary education competencies for students with disabilities, limited psychological assistance for students with intellectual disabilities, limited job opportunities, character education that is not yet optimal, the need for scholarships, and parental awareness to send their children with disabilities to school.

Based on the empirical research results, it will be analyzed using service theory and inclusive education. Based on the service theory previously described, in the implementation of public services, all members of society have the same rights without exception, including educational services for persons with disabilities, especially for primary and secondary schools. To fulfill the rights of persons with disabilities in educational services, one of the government's efforts in Indonesia is through inclusive education. The implementation of inclusive education is very much needed for persons with disabilities because inclusive education is one form of equalization and realization of education without discrimination, providing equal opportunities for children with special needs to obtain the same education as other children in general (Sahrudin et al., 2023).

Inclusive education is an approach to education that adheres to the principle that every individual, regardless of differences, has an equal right to quality education in the same school environment as their peers. In inclusive education there is no discrimination based on ability, background, gender, ethnicity, religion, or physical and mental conditions. The aims of inclusive education include fulfilling human rights and improving the quality of education (Phytanza et al., 2022). The theory of inclusive education originates from the UN Convention Convention On The Rights Of Persons With Disabilities (CRPD) of 2006, ratified in Indonesia through Law Number 19 Year 2011 On Ratification Convention On The Rights Of Persons With Disabilities (Convention on the Rights of Persons with Disabilities) and Article 24 of the CRPD emphasizes the right to quality education for persons with disabilities without discrimination, with full inclusion in the regular education system (*UU No. 19 Tahun 2011 Tentang Pengesahan Konvensi Mengenai Hak-Hak Penyandang Disabilitas*), 2011). In the context of Law Number 8 of 2026 on Persons with Disabilities and the 2009 Minister of Education Regulation Number 70 of 2009 on Inclusive Education, it serves as the basis for the implementation of inclusive education in Indonesia, which requires accessible infrastructure, specially trained teachers, psychosocial support, transition after graduation (employment), holistic character education, parental involvement, and financial support such as scholarships.

The issuance of Governor Regulation Number 41 of 2015 is a form of support to create equitable education in Gorontalo (Peraturan Gubernur Nomor 41 Tahun 2015 Tentang Penyelenggaraan Pendidikan Inklusif Di Provinsi Gorontalo, 2015). However, the reality in Gorontalo shows a significant gap between regulation and implementation, particularly the suboptimal implementation of inclusive education and the shortage of special education personnel. Inclusive education in Gorontalo faces structural and cultural barriers. Regular schools not yet fully ready to accept disabled students create exclusion within inclusion. Theoretically, Stubbs (Stubbs & Lewis, 2008) emphasizes that inclusive education is not just about moving children to regular schools, but changing the school system to respond to individual needs. In Gorontalo, the lack of accessible infrastructure worsens this condition, aligning with Tarnoto (Tarnoto, 2016) who states that infrastructure support and school policies are determinants of inclusion success.

Another crucial issue is the lack of Special Assistant Teachers (GPK) with special pedagogical competencies. Teachers in regular schools tend to feel unable to teach students with special needs due to lack of training. This phenomenon is validated by Mumpuniarti's research, which explains that teacher competence is the key to curriculum adaptation for persons with disabilities (Mumpuniarti et al., 2020). Teachers with special education backgrounds are referred to as supporting teachers in inclusive education theory, playing a vital role in creating supportive environments (Phytanza et al., 2022).

The responsibilities of the supporting teacher include, among others, (1) collaborating with the education team, including students' parents, regular teachers, and health or rehabilitation professionals, to ensure good coordination in providing support to students, (2) managing communication and parental involvement in supporting their children's education. They share information about students' development and provide advice to parents, (3) Acting as advocates for students with special needs, ensuring their rights are respected and their needs met in the educational environment (Phytanza et al., 2022). But different from the needs in Special Education Schools, teachers with background in special education are positioned as regular teachers.

However, the obstacle is the lack of teachers with a background in special education, which affects the suboptimal handling of students with disabilities in SLB Gorontalo City. Although various efforts have been made such as teacher capacity-building training, the training is still perceived as insufficient because it is intended to support in delivering lessons such as improving pedagogical competence, techniques teaching practices and adjustments to the curriculum. Meanwhile, teachers with a background The back/behind special education is very needed in Special Schools (SLB) where all students are disabled.

In addition to teachers competent in the field of special education, mentorship psychologist supervision is also needed especially for children with intellectual disabilities and autism as stated by Forlin (Forlin, n.d.) in the Asia review highlighting the need for psychological support to address stigma and emotional needs. Psychological support is needed for children with intellectual disabilities and autism because they have special characteristics that require attention and additional support to overcome emotional and social challenges. The absence of professional psychologists at Special Schools (SLB) in Gorontalo Province requires teachers to take over the role of psychological mentoring, even though the interventions provided are still general and limited to a general pedagogical understanding.

Furthermore, the attitude of peers and parents of regular students is vital. Avramidis & Norwich (Avramidis & Norwich, 2002) state that an unsupportive social environment can be a greater barrier than physical ones. In Gorontalo, stigma against persons with disabilities still occasionally appears in regular schools. Parental involvement and financial support also become one of the obstacles to fulfilling the rights of people with disabilities in the field of education. The low awareness and understanding of parents about the importance of education for the disabled cause many parents to be reluctant to educate their disabled children because they still believe that after completing education they should obtain a job, but in the field many people with disabilities have difficulty obtaining employment. Financial factors also play a role because most come from underprivileged families. Therefore, giving scholarships also greatly influences parents' willingness to educate their disabled children. Parents have an obligation to provide opportunities for their children to receive education as stated in Law Number 20 of 2003 on the national education system that the state, government, family and parents must provide as wideas possible opportunities for children to obtain education.

Education is actually a joint responsibility between parents, society and the government. Accordingly, education should not be solely burdened on one of the three elements. The three elements bear responsibility according to their duties and capacities to meet the rights of children in the field of education, including children with disabilities, as should be provided in general schools with facilities and infrastructure for disabled children (Riyadi, 2021). Meanwhile, the government's role is greatly needed, one form of which is the provision of scholarships. The field conditions show that the lack of schol-

arships for people with disabilities causes some parents not to educate their children with special needs. Although there are no targeted scholarships for the disabled, the Gorontalo Provincial Government continues to provide facilities such as free dormitories with complete facilities including providing food three times a day.

In the perspective of social justice theory, the failure to provide adaptive education services is a form of human rights neglect. In Gorontalo, these systemic barriers cause school participation for the disabled to remain lower than the general population, as revealed in the study by Kurniawati (Kurniawati et al., 2014) regarding inclusion challenges in Indonesia centered on teacher competence and attitudes. Furthermore, Heward (Heward, 2014) states that the success of special education services depends heavily on early intervention and the availability of experts. The shortage of special educators in Gorontalo results in the non-functioning of Individualized Education Programs (IEP), preventing the optimal exploration of student potential. Instructionally, Friend & Bursuck (Friend & Bursuck, 2019) explain the importance of co-teaching strategies between class teachers and special educators to create an equal learning atmosphere. Finally, research from Riany (Riany et al., 2016) highlights that in Indonesia, cultural and family support determines whether a child is schooled or kept at home due to shame or lack of information.

Several issues remain in Gorontalo Province related to the fulfillment of the rights of persons with disabilities in education, indicating that the implementation of regional regulations related to inclusive education has not been optimally implemented. Strengthening the implementation of inclusive policies is essential because regional government policies play a crucial role as technical instruments for implementing national regulations into concrete actions through several means, namely the allocation of specific regional budgets, whether specifically for scholarships or facility improvements, the establishment of disability service units, and the recruitment of professional accompanying teachers in the field of special education.

Without strong regional regulations or governor regulations, the implementation of inclusive education will continue to be hampered by limited physical infrastructure and teachers' pedagogical competencies, so local policies serve to bridge this gap by contextualizing regulations according to the geographical challenges of the region, strengthening cross-agency coordination, and enforcing oversight mechanisms that ensure there is no discrimination against students with disabilities in accessing educational services throughout Gorontalo.

4. Conclusions

Education is a form of service provided by the government to the community without exception. Education is also a right of people with disabilities that must be fulfilled. The fulfillment of the rights of people with disabilities in the field of education in Gorontalo Province is pursued through the provision of facilities and infrastructure and the implementation of inclusive education. However the reality that occurs, various obstacles are experienced to fulfill the rights of people with disabilities, including the limitations of teachers in the field of special education, the absence of psychologists to accompany children with special needs, the low understanding and participation of parents to send disabled children to school, and the absence of scholarships to help parents financially because most people with disabilities who do not continue their education come from underprivileged families. Therefore, the government's role is needed to address these issues, among others. by conducting regular training for special education teachers, recruiting special education teachers and psychologists, campaigning to parents based in the community, and allocating scholarships specifically for people with disabilities.

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