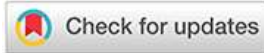


IMPLEMENTATION OF THE FULFILLMENT OF THE EDUCATIONAL RIGHTS OF FOSTER CHILDREN IN A SPECIAL CHILD DEVELOPMENT INSTITUTION (LPKA) CLASS I BLITAR



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ABSTRACT

According to the Convention on the Rights of the Child and Indonesian law, every child, including those in conflict with the law, is entitled to education, which must be fulfilled even when they are under the care of a Lembaga Pembinaan Khusus Anak (LPKA). However, many children in Indonesia are marginalized from education because of their involvement in crime and admission to LPKA. The government and the children's advocates believe that this is the case when they are given a scholarship to an LPKA. To better understand how education can be optimized for kids under LPKA supervision and what tactics can be used to guarantee that this right is fully realized, this study focuses on the fulfillment of foster children's right to an education at LPKA Class I Blitar. Through documentation studies and interviews, this research employs a case study methodology.

Keywords: Fostered Children; Educational Rights; Child Special Development Institution (LPKA)



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INTRODUCTION

Rights like the right to life, welfare, protection, and education are imperative for children to be fulfilled. The future of each person and of society is greatly influenced by their education. Notwithstanding, empirical evidence indicates that certain children continue to be excluded from the educational system as a consequence of criminal offenses that land them in the Special Development Institute for Children (LPKA) (Fatah, 2011). The way things are going these days, kids can do crimes that get them in trouble. Juveniles who disobey the law are considered to be in legal conflict. The details of this are expounded upon in Article 2 of Law Number 11/2012, which states that children who are involved with the law are those who are in conflict with the law, as well as children who are witnesses to criminal acts and victims of criminal acts. Kids in conflict with the law are kids who are exposed to criminal activity while they are between the ages of 12 and 18 (Marliana, 2012).

One of Indonesia's most pressing issues is the prevalence of minors involved in legal disputes. Most kids who break the law end up dropping out of school because they are expelled from school. It is plausible that juveniles who discontinue their education may have a role in criminal activities to the degree that lawsuits are filed. Being expelled from school, which is a form of implementation gap in Law No. 20/2003 on the National Education System, is one of the factors that contribute to criminal offenses committed by children. It is mandated by the Act that all Indonesian children receive an education. But this is a problem that the government still needs to address, particularly for kids who are under LPKA's supervision. Despite being in LPKA, they still have the right to an education (Ferdiawa et al., 2020).

Children's education is crucial, as it attempts to give them the chance to learn through both academic and extracurricular activities. In order to get ready to leave LPKA and reintegrate into society, children serving criminal sentences must also receive an education. The research locus of LPKA, specifically LPKA Class I Blitar, has also contributed to the realization of the right to education. Education for children in the LPKA is individualized based on their skills and interests. From elementary school through high school, formal education consists of a tier-based, structured curriculum. While pursuing packages A, B, and C for equivalency education programs is considered non-formal education.

Children's education rights will be granted following a TPP hearing based on the guidelines for treating children in LPKA. The results of the Litmas (risk and needs assessment) will be taken into consideration, and if the child has met the requirements for assimilation, the Litmas recommendations for classification programs, further placement, coaching, and reintegration will be considered. If the needs evaluation and approval results indicate that the child should engage in educational and skill-building activities, then: (1) either one of them may be provided or (2) one of them should be selected based on the child's priorities. Children should be encouraged and guaranteed to participate in formal education programs taking into account their interests and abilities. Children should be directed to self-reliance and skills development programs if they are not interested in formal education (Fatah, 2011).

Considering this phenomenon, LPKA must keep working to organize children's right to education. In light of this, LPKA will provide appropriate guidance to school dropouts who are involved in legal offenses. This begs the question of the extent to which children's rights to an education are upheld in violation of Juvenile Justice Law No. 11/2012. The future of the child is determined by the role played by the LPKA in terms

of support, rehabilitation, and education. Being the future generation of the country, it is concerning when children find themselves in legal issues (Nugroho, 2017).

Children who receive an education benefit academically. It is a fact that access to education is frequently hindered, particularly for children incarcerated. In order to guarantee that every child has the right to an education, LPKA must collaborate with specific schools. The realization of the right to education, particularly in LPKA, is still beset by a number of issues, though, such as a lack of teachers, a failure to fully explore children's potential, exorbitant educational costs, and a lack of assurances regarding education beyond LPKA. Limited resources prevent foster children in LPKA from fulfilling their right to an education (Wirawan & Dwimawanti, 2019).

Table 1
School Data of Children in LPKA Class I Blitar

No	Level	Class	Amount	Total
1.	Elementary School	VI	5	5
2.	Junior High School	VII	9	28
		VIII	11	
		IX	8	
3.	Senior High School	X	19	45
		XI	19	
		XII	7	
TOTAL				78

Source: data processed from LPKA Class I Blitar, 2024

There are 78 foster children enrolled in LPKA Class I Blitar who are learning right now. Given that education quality is allegedly declining, this number is undoubtedly quite concerning. At LPKA Class I Blitar, there is an equivalency program that is non-formal education in addition to formal education. Package programs A, B, and C together comprise equivalency education, which is one of the most significant programs under the non-formal education category. Equivalency education aims to offer educational opportunities that are on par with traditional forms of instruction. Graduates of these programs must meet competency standards that are equivalent to those of traditional schools. With non-formal education programs, LPKA primarily serves as a facilitator, which means that facilities are the main focus of its work. The lack of a functioning teaching position at LPKA further supports this. As a result, LPKA Class I Blitar collaborates with outside organizations, namely SMP Muhammadiyah Blitar and SMA YP Kodya Blitar, both of which continue to be supervised and directed by the National Education Office (Widyaningtyas & Subroto, 2023).

However, there are some issues such as juveniles serving short prison sentences. Many juveniles in LPKA only serve relatively short sentences. These short sentences, although seen as providing rehabilitation opportunities, often pose a challenge to their educational process. In such a limited time, it is difficult to integrate a continuous education program. As a result, children serving short sentences often do not get the maximum educational benefit, and their learning process becomes interrupted or ineffective. Detained children will face difficulties continuing their education, and they may be stigmatized and discriminated against by society when they leave LPKA. In addition, LPKA cannot provide non-formal education to foster children to catch up with the 12 years of compulsory school education. This also prevents LPKA from fulfilling the educational rights of children serving short-term prison sentences (Sasmita et al., 2021).

Furthermore, the LPKA's infrastructure and facilities—which are meant to uphold the right to education—are frequently far from sufficient. The primary barriers are a lack of classroom space, a shortage of textbooks, restricted access to technology, and a shortage of qualified teaching personnel. Foster children require a suitable learning environment and tools to support their education, but this requirement is frequently not met, resulting in subpar educational programs and extremely low-quality instruction. Furthermore, a lot of kids who receive assistance also lack motivation to learn. Factors related to their social backgrounds, traumatic experiences, and the challenging atmosphere at LPKA also contributed to their lack of understanding of the value of education. These kids might not see the value of education in the bigger picture of their lives, or they might feel hopeless. Even if educational programs are offered, their level of active participation will be low if they lack sufficient motivation. For the target children to develop self-awareness and an interest in learning, a unique strategy and a rigorous motivation program are needed.

This study focuses on the state of children, how to better fulfill children's educational rights in LPKA, and what the best course of action is to improve children's educational rights fulfillment in Indonesia. The primary motivation behind the research project is to educate children in LPKA about positive character development and education for change. Secondly, a large number of children in LPKA attend school, and their growth and development require continued attention, particularly in the form of education. The third goal is to ascertain how LPKA Class I Blitar is implementing the fulfillment of educational rights and what obstacles are in the way of this.

LITERATURE REVIEW

A theoretical framework is necessary for research in order to give the study a strong basis. The author incorporated theories that are pertinent to the ongoing research when writing this article. A theory that can be compared to research is the Theory of Education Management.

Bush and Coleman (2012) claim that "education management is a study and practice related to or focused on the management of educational organizations." Educational institutions need to organize their operations in a way that results in a container that is arranged systematically. As a guide for implementing the operational activities included in the education management system, this methodical management of activities is given priority. Using management functions to ensure smooth and effective operation is essential when implementing educational management. These functions include:

1. Making plans

Planning is the process of making decisions with an eye toward the future and to accomplish specific objectives. It is done methodically and pertinently. The planning component is crucial to the success of instructional and teaching activities since it ensures their seamless operation. It frequently happens that a lack of well-organized planning causes an educational activity to go badly, run as it is, and occasionally even get stuck in the middle of the road. Planning is, to put it simply, developed as a framework for determining objectives and necessary steps to accomplish organizational goals. In order to achieve good planning, conditions in the future will need to be taken into account for both the current period in which the plan is being made and the activities that will be decided to be carried out. Because people have the ability to alter the course of events, planning is essential. Thus, it can be said that the fundamental building block of a plan is the human capacity to deliberately

identify potential futures that he will find appealing and then focus his abilities and efforts on realizing the future he selects—in this case, the type of management that will be used—so that a plan can be effectively realized.

2. Organizing

Organizing is a system of cooperation in a group of people carried out by arranging and dividing all work / tasks according to their respective abilities and expertise by forming a number of units or work units, which collect similar work. Organizing is a collection of people who are well organized. So it is necessary to have a compact cooperation in working and holding a commitment to achieve common goals in an organization.

3. Execution (Realizing)

Actuating, also known as implementation, is the third function of management. It follows planning and organizing and involves the establishment of an organizational structure as well as the availability of personnel to carry out implementation tasks in accordance with the demands of the unit or work unit that has been formed. Leading, guiding, and communicating are a few of the tasks. When testing and putting into practice a preplanned activity, implementation is critical. This serves as a gauge for the effectiveness of the earlier-compiled planning.

4. Supervising (Managing)

For work to be implemented in their environment, supervision is a management function that every leader and manager in every unit or work unit must perform. It also implies that every manager or leader has an inherent responsibility to supervise employees who execute their jobs in line with their primary responsibilities in their positions. Assessment and measurement are the two activities that makeup evaluation in education management. Testing is one of the forms of measurement that is used to ascertain the value of an object. Being the final link in the functional chain of management tasks, supervision is crucial. Ensuring that all programs have been implemented or are being implemented in accordance with the plan is the responsibility of the supervisory function. A review of the implementation that is carried out in compliance with the planning and any roadblocks encountered during implementation is also included in supervision.

The writers gathered and examined a number of recognized studies. In order to obtain a novel element and topics that are pertinent to their research, the authors screened studies that had been published within the last five years. Chandrawati and Permatasari's (2023) study looks into the ways in which the Jakarta Region II Office's LPKA implements children's education, identifies the obstacles that arise in doing so, and makes sure that the implementation of children's education rights in LPKA complies with applicable laws, specifically the Corrections Law, which was only passed in 2022. This makes the author's research particularly unique and offers suggestions for enhancing the LPKA's implementation of children's education rights. This study discovered that the LPKA Jakarta has not fully implemented the fulfillment of children's education in compliance with relevant regulations. Inadequate infrastructure and instructors who fail to apply pedagogical competencies are two issues that persist despite efforts. It is advised that LPKA work with outside organizations to deliver appropriate instruction. The government should focus on LPKA facility improvements in order to guarantee that children's educational rights are appropriately upheld (Chandrawati & Permatasari, 2023).

Susanto's (2022) study was designed to evaluate the educational attainment of children in LPKA and look into situations in which school-age children have legal disputes. It focuses on cases involving theft, drug use, and immoral behavior. By referencing a variety of sources, including journals, reports, books, and pertinent laws, this research also seeks to raise awareness and understanding of child protection and the significance of upholding children's educational rights. The findings demonstrate that few circumstances permit children in LPKA to benefit from the right to an education. Increasing the caliber of the educational system, teachers, infrastructure, and the environment that encourages positive behavior change are some strategies for enhancing LPKA education services (Susanto, 2022).

Harahap (2022) looks into how Indonesian prison officials deal with obstacles in ensuring that juvenile offenders receive their right to an education. By focusing on the realization of juvenile offenders' educational rights and guaranteeing that all children have equitable access to high-quality education to enable them to become contributing members of society, this research can help. In addition to analyzing how well children in prison are receiving their education, this study looks for barriers that prevent prison administrators from providing for the educational needs of young inmates. Additionally, it offers recommendations and fixes that can enhance and lessen the number of inmates incarcerated (Harahap, 2022).

Argita et al.,(2021) fulfill the educational aspects of personality and skills, this research focuses on the education process at LPKA, the involvement of multiple parties in the program's launch, including Wadah Indonesia Berbagi (WIBER), Generasi Baru Indonesia (GENBI), and the Community Learning Center (PKBM), as well as the coaching of foster children. This study examines the educational success rate at LPKA Kendari, concentrating on the LPKA educational process. The goal of this research also entails demonstrating that, in spite of infrastructure and facility constraints, education continues to have a beneficial influence on behavioral modifications in foster children (Argita et al., 2021).

Ferdiawan's (2020) study covered the rights, protection, and rehabilitation of children in foster care, with a focus on educational rights. The study also seeks to emphasize the critical role social workers play in ensuring these kids receive the proper care, education, and recuperation. The significance of education in preparing children for a bright future is highlighted by this research. Children are safeguarded and reunited, but the process of sentencing them through diversion and restorative justice methods raises serious concerns as well. This study also emphasizes the Correctional Center because it has a lasting effect on forming children's mindsets in order for them to grow up to be decent members of society (Ferdiawan, 2020).

METHOD

Using an explanatory approach, the author will carry out qualitative research. This method seeks to use the available data to comprehend the features of the phenomenon and how it relates to the system. The explanatory approach is centered on examining causal or cause-and-effect relationships in order to bolster sophisticated hypotheses regarding established correlations between significant variables, specifically independent and dependent variables (Farida, 2008).

In the future, it will be able to provide information about actual conditions and facts related to the implementation of fostering children's educational rights at LPKA Class I Blitar. It also seeks to gather precise and comprehensive data regarding the phenomena that are present in LPKA Class I Blitar. The author intends to present and

describe actual conditions and facts about the process of carrying out the right to an education, particularly in the context of formal and non-formal education, which is why this is the case.

RESULTS AND DISCUSSION

For this study, the educational rights of foster children at LPKA Class I Blitar were observed and interviewed, along with the head of the development section, the head of the education and skills training section, teachers, and foster children. There are 78 foster children enrolled in LPKA Class I Blitar, each attending a different level and class. Regarding the facilities and infrastructure necessary to fulfill the educational rights of foster children, the government provides boss funds to LPKA Class I Blitar. Furthermore, there are just twenty educators who work with foster children in elementary, junior high, and high school. This figure is thought to represent a deficiency in the implementation of foster children's educational rights. When implementing the fulfillment of foster children's educational rights, the quantity and caliber of teachers must be taken into account. This is because, generally speaking, children in LPKA receive proper education in line with the Preamble of the 1945 Constitution, which mandates educating the nation's life. Thus, in order to guarantee that the educational process itself brings about positive changes in the behavior of students incarcerated, certification is at the very least required of teachers.

In order to provide learning activities for foster children, LPKA Class I Blitar implemented an educational program. Due to LPKA Class I Blitar's shortcomings in terms of knowledge, expertise, resources, and other areas, foster children's implementation of their educational rights is inextricably linked to collaboration with third parties that assist in facilitating this implementation. Thus, for the best possible outcome in the implementation of this educational right, it needs to work with other parties who have the necessary field-specific competence.

LPKA Class I Blitar works with the Blitar City Education Office to provide foster children with an education. Under the name "SD ISTIMEWA 3," LPKA Class I Blitar has been offering formal elementary education since 2003. formal education at the elementary, junior, and senior high school levels in addition to formal education at the elementary level. Together with YP Kotamadya Blitar High School and Muhammadiyah Blitar Junior High School, LPKA Class I Blitar collaborates. Apart from the formal education, LPKA Class I Blitar also arranges non-formal education to enhance the abilities and understandings that mold the character of foster children to be more imaginative and engaged based on their individual interests and aptitudes. Sports, self-defense, and scouting are the extracurricular activities that are implemented at LPKA Class I Blitar.

Every child, including those receiving guidance at LPKA, has a right to education. The author discovers that the right to education granted to children placed in foster care is a type of right that seeks to maximize potential and abilities. In accordance with Law No. 11/2012 concerning the Child Criminal Justice System, Article 3, which states that the right to education is one of a child's rights, is this. The 1945 Constitution's Article 28 likewise mentions this.

According to Bush (2018), the following findings were found in the study that used the education management theory:

1. Planning

For children attending LPKA Class I Blitar, there are a number of strategies and procedures for putting the formal education program into place. First, the timing of the program is matched to the child's guidance program, and a TPP hearing is

subsequently scheduled to determine the curriculum to be taught. After that, student data for the purpose of continuing education is coordinated with the education office and the relevant school.

2. Organizing

The structure used by LPKA Class I Blitar to administer the education program is particularly governed by the education and skills section. As part of the learning process, LPKA Class I Blitar also develops and puts into practice Service Operational Standards (SOPs).

3. Actuating

LPKA Class I Blitar uses an independent curriculum that is based on the Minister of Education and Culture's Regulation Number 23 of 2016 to implement the fulfillment of educational rights. The way teaching and learning activities are implemented in schools outside of LPKA is the same as how formal education is implemented generally, except restricted rights.

Educational services that serve as a replacement, addition, or complement to formal education in order to support education can be found in educational programs like those offered by LPKA. With a focus on mastering practical knowledge and skills as well as cultivating professional attitudes and personalities, the educational program works to maximize each student's potential.

Researchers discovered numerous items that were not in the field standards during the execution of the educational program. Learning activities were discovered to be unable to proceed while the teacher was not present, preventing the foster children from being in their assigned rooms. Instead of taking the initiative to cover for the absent teacher, the staff did not offer any extra lessons. The education section is in charge of the foster children, so even in cases when the teacher is not present, the learning process should still go forward. Foster children will be tremendously impacted by this, as they will believe that LPKA Class I Blitar is not serious about offering guidance and that the lessons they have learned will eventually be forgotten.

4. Controlling

The Blitar City Disdikbud occasionally oversees LPKA Class I Blitar in order to ensure that foster children's right to an education is carried out. Every three months, supervision is conducted by closely monitoring how the educational program is being implemented at LPKA Class I Blitar.

We can therefore conclude that planning is what actually needs to be improved in order to implement the fulfillment of educational rights at LPKA Class I Blitar. Because there are still a lot of obstacles in the way of planning that can affect other things like execution. Thus, in order for the implementation to go smoothly, it is imperative that planning be improved and made in line with the needs.

However, in the implementation of the fulfillment of the right to education for foster children at LPKA Class I Blitar there are several obstacles found, as follows:

1. Limited budget

The budget for implementing education has been regulated and included in the LPKA Class I Blitar budget. However, in this case the budget is limited and can only partially fulfill the implementation of the education program. In order to alleviate the burden on the budget and sometimes even spend personal funds, the sub-section and education staff work with outside parties, specifically the Blitar City Education Office, to solve these issues.

2. Absence of infrastructure and amenities

The organization in charge of advising kids who are in trouble with the law is called Lembaga Pembinaan Khusus Anak (LPKA) Kelas I Blitar. Ensuring foster children's fundamental rights—including their right to an education—are upheld is one of the main responsibilities of this LPKA. However, a number of obstacles, most notably the dearth of facilities and infrastructure, frequently make it difficult to carry out this right to education at LPKA Class I Blitar.

The lack of facilities and infrastructure at LPKA Class I Blitar not only hinders the implementation of the right to education, but also has the potential to worsen the mental and emotional conditions of foster children. To overcome this problem, there needs to be serious attention from the government and related parties to improve facilities and infrastructure at LPKA Class I Blitar. Investment in adequate educational facilities, provision of quality teaching materials, additional teaching staff, as well as technological support and extracurricular activities are needed.

3. Students who don't know who they are

Foster kids in legal trouble are housed at LPKA Kelas I Blitar so they can reintegrate into society with enhanced abilities and understanding. One of the main obstacles, though, is that the children who are fostered often lack the self-awareness necessary to actively engage in the offered educational programs. Conditions that are too young for the child will impact their mentality and cause instability. Because of this, people frequently fail to recognize the value of education and believe that it will not alter their destiny. They are frequently reluctant to actively participate in educational activities because they believe that the stigma associated with being a "bad boy" or "lawbreaker" renders them undeserving of an education.

CONCLUSION AND SUGGESTION

Foster children enrolled in LPKA Class I Blitar have their educational rights fulfilled like that of public schools, including the acquisition of subject matter through the use of an independent learning curriculum. The circumstances surrounding the implementation of education and limited rights, however, set them apart.

In cooperation with the Blitar City Education Office, SMP Muhammadiyah Blitar, and SMA YP Kotamadya Blitar, the educational rights of foster children are being implemented at LPKA Class I Blitar. The foster children in LPKA Class I Blitar are able to continue their education in accordance with the appropriate educational level thanks to this collaboration.

At LPKA Class I Blitar, the implementation of foster children's educational rights fulfillment is still not operating at its best. The following are a few of the things that prevent this implementation :

1. A restricted spending plan
2. Inadequate infrastructure and facilities
3. Students' lack of self-awareness

Based on the conclusions, the researchers provide suggestions to the LPKA Class I Blitar as follows:

1. Create an appropriate budget plan as needed. A more focused approach to budget planning is required, considering the unique requirements of foster children as well as the necessary educational infrastructure. Care must be taken when creating the budget to ensure that all requirements for education—staff, supplies, and other facilities—are met to the highest standard.

2. Facilitate school attendance for foster children who lack the necessary documentation. By offering or setting up the A, B, and C package pursuit program, LPKA can assist foster children who lack the necessary administrative paperwork. In spite of not meeting the necessary administrative requirements, this program will enable them to still receive an education on par with that of formal schools.
3. Give foster children an appreciation for the value of education so they will be inspired to learn. It's critical to keep teaching the kids how important education is to their future. It is anticipated that the kids will be more engaged and excited to participate in teaching and learning activities at LPKA as a result of growing in awareness and motivation to learn.
4. In order to teach foster children in LPKA's educational activities, teaching staff members must be highly motivated and enthusiastic about what they do, without making any distinctions between them and other students.
5. Despite the fact that it is not their fundamental skill, teaching staff members must constantly work to improve their skills and knowledge in order to maximize their ability to deliver knowledge.
6. Children who train at LPKA must have a strong interest in learning and be driven and devoted to it. In order to impart knowledge and mold children's development into intelligent, creative, and active adults, education is crucial.
7. More study is required to fully explore how foster children at LPKA Class I Blitar can fulfill their rights to an education.

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