

Rights-Based School Governance in Indonesia: Reconstructing Educational Management for Student Protection Under the 2026 Safe and Comfortable School Culture Framework

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Abstrak

Penelitian ini menganalisis bagaimana manajemen pendidikan dapat dioperasionalkan sebagai instrumen tata kelola untuk memenuhi dan melindungi hak peserta didik dalam hukum pendidikan Indonesia setelah reformasi Budaya Sekolah Aman dan Nyaman tahun 2026. Penelitian menggunakan metode hukum normatif dengan pendekatan peraturan perundang-undangan dan konseptual, disertai telaah purposif terstruktur atas literatur ilmiah yang relevan. Analisis memetakan dasar hukum, pemangku kewajiban, fungsi manajerial, mekanisme implementasi, serta bukti yang dapat diaudit. Hasil penelitian mengelompokkan hak peserta didik ke dalam akses dan keberlanjutan, kesetaraan, keamanan, akomodasi yang layak, partisipasi, serta pengaduan dan pemulihan. Berdasarkan sintesis tersebut, penelitian mengusulkan model Rights-Based School Governance (RBSG) dengan enam dimensi yang paralel: keselarasan hukum dan pemetaan hak; perencanaan inklusif dan alokasi sumber daya yang adil; lingkungan belajar yang aman dan bermartabat; partisipasi peserta didik yang bermakna; pengaduan, respons, dan pemulihan yang dapat diakses; serta pemantauan, evaluasi, dan akuntabilitas berbasis hak. RBSG merupakan konstruksi normatif, bukan intervensi yang telah tervalidasi secara empiris; karena itu efektivitas, beban administrasi, dan validitas indikatornya masih perlu diuji melalui penelitian multi-situs.

Kata Kunci: tata kelola sekolah; hak peserta didik; hukum pendidikan; perlindungan anak; RBSG.

Abstract

This article examines how educational management can operate as a governance mechanism for fulfilling and protecting students' rights within Indonesian education law following the 2026 Safe and Comfortable School Culture reform. The study uses normative legal research combining statutory and conceptual approaches with a structured purposive review of relevant scholarship. The analysis maps legal bases, duty-bearers, managerial functions, implementation mechanisms, and auditable evidence. The findings organize students' rights into access and continuity, equality, safety, reasonable accommodation, participation, and accessible complaint and remedy. From this synthesis, the article proposes a Rights-Based School Governance (RBSG) model with six parallel dimensions: legal alignment and rights mapping; inclusive planning and equitable resource allocation; a safe and dignified learning environment; meaningful student participation; accessible complaint, response and remedy; and rights-based monitoring, evaluation and accountability. The model translates legal duties into process ownership, documentary evidence, proportional safeguards, and review triggers while also recognizing procedural protection for educators. RBSG is a normative construction rather than an empirically validated intervention. Its feasibility, administrative burden, indicator validity, and effects on safety, inclusion, trust in complaint mechanisms, and continuity of learning therefore remain propositions for future multi-site empirical testing.

Keywords: school governance; students' rights; education law; child protection; RBSG.

INTRODUCTION

Education in a constitutional state is not merely a public service measured by enrolment, graduation or administrative efficiency. It is a legally protected entitlement that generates positive duties for the state and institutional obligations for education providers. Educational management therefore remains legitimate only when planning, organization, leadership and evaluation also secure equal access, dignity, safety, participation and continuity of learning.¹

Indonesia's constitutional and statutory architecture supports this rights-based reading. The 1945 Constitution, the National Education System Law, child-protection and disability legislation, and ratified human-rights treaties establish substantive entitlements, while school-management rules determine how institutions organize resources, procedures and accountability to make those entitlements effective.²

The central problem is the institutional separation of these two layers. Educational management is often administered as planning, resource allocation and performance control, while students' rights become visible mainly after bullying, discrimination, exclusion or violence is reported. This separation produces reactive protection even though the legal logic of protection requires foreseeable risks and access barriers to be addressed before harm occurs.³

Accordingly, the study addresses three questions. First, what is the legal position and practical scope of students' rights within Indonesian education law after the 2025-2026 governance reforms? Second, how should educational-management functions be operationalized so that they become instruments for fulfilling and protecting those rights rather than merely mechanisms of administrative control? Third, how can a normative rights-based governance model connect educational quality, child protection, inclusion, participation, digital safety and legal accountability at school level? Answering these questions is intended to contribute to education-law scholarship while also providing an implementable framework for education providers and local governments that must translate legal norms into daily institutional decisions.

The regulatory landscape changed materially in 2026. Regulation of the Minister of Primary and Secondary Education No. 6 of 2026 on the Safe and Comfortable School Culture revoked the 2023 violence-prevention framework and

¹Undang-Undang Nomor 11 Tahun 2005 tentang Pengesahan International Covenant on Economic, Social and Cultural Rights (Kovenan Internasional tentang Hak-Hak Ekonomi, Sosial dan Budaya), Lembaran Negara Republik Indonesia Tahun 2005 Nomor 118, Tambahan Lembaran Negara Republik Indonesia Nomor 4557; I Dewa Gede Palguna dan Bima Kumara Dwi Atmaja, "Konsepsi Pendidikan Sebagai Hak Konstitusional," *Jurnal Hukum IUS QUIA IUSTUM* 30, no. 2 (2023): 350–370.

²Keputusan Presiden Nomor 36 Tahun 1990 tentang Pengesahan Convention on the Rights of the Child (Konvensi tentang Hak-Hak Anak); Undang-Undang Nomor 19 Tahun 2011 tentang Pengesahan Convention on the Rights of Persons with Disabilities, Lembaran Negara Republik Indonesia Tahun 2011 Nomor 107, Tambahan Lembaran Negara Republik Indonesia Nomor 5251; Undang-Undang Nomor 20 Tahun 2003 tentang Sistem Pendidikan Nasional (Lembaran Negara Republik Indonesia Tahun 2003 Nomor 78, Tambahan Lembaran Negara Republik Indonesia Nomor 4301); Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, khususnya Pasal 28B ayat (2), Pasal 28C ayat (1), Pasal 28I ayat (2), dan Pasal 31.

³Yana Suryana, Yulia Kurniaty, dan Aroma Elmina Martha, "A Model for Protecting the Right to Education for Child Labour," *Jurnal Hukum IUS QUIA IUSTUM* 30, no. 2 (2023): 371–395.

broadened the regulatory orientation toward a school ecosystem covering spiritual needs, physical protection, psychological well-being and sociocultural security, and digital civility and safety, together with implementation, supervision, monitoring, evaluation and financing. Read with the 2025 Management Standards, the reform strengthens the case for integrating rights protection into ordinary management rather than treating it only as post-incident case handling.⁴

Table 1. Regulatory Shift from the 2023 PPKSP Framework to the 2026 Safe and Comfortable School Culture Framework

Dimension	2023 PPKSP framework	2026 Safe and Comfortable School Culture framework
Regulatory orientation	Prevention and handling of violence in education units.	Whole-school safe and comfortable culture/ecosystem, with violence prevention situated within a broader rights-protection environment.
Protected domains	Protection from violence and incident-related risks.	Spiritual needs; physical protection; psychological well-being and sociocultural security; digital civility and safety.
Institutional duty	Prevent and handle violence through designated institutional mechanisms.	Embed culture-building, prevention, implementation and corrective action within routine school governance.
Reporting and response	Reporting and case handling are central protective mechanisms.	Reporting and response remain necessary but are integrated with prevention, climate-building and recovery-oriented management.
Monitoring and evaluation	Compliance and implementation of violence-prevention/handling obligations.	Supervision, monitoring and evaluation are expressly part of the regulatory architecture.
Financing and accountability	Resources support implementation of prevention and handling.	Financing is expressly included; accountability is linked to recurring implementation, supervision, monitoring and evaluation.

⁴Peraturan Menteri Pendidikan Dasar dan Menengah Nomor 26 Tahun 2025 tentang Standar Pengelolaan pada Pendidikan Anak Usia Dini, Jenjang Pendidikan Dasar, dan Jenjang Pendidikan Menengah, Berita Negara Republik Indonesia Tahun 2025 Nomor 1079; Peraturan Menteri Pendidikan Dasar dan Menengah Nomor 6 Tahun 2026 tentang Budaya Sekolah Aman dan Nyaman (Berita Negara Republik Indonesia Tahun 2026 Nomor 11).

Source: Author's comparative legal synthesis based on Permendikbudristek No. 46 of 2023 and Permendikdasmen No. 6 of 2026.

Digitalization intensifies the governance obligation because teaching platforms, messaging, student information systems and social media extend educational risk beyond the school gate. Cyberbullying, identity-based harassment and unsafe data practices can undermine learning, while the Personal Data Protection Law treats children's data as specific personal data. A rights-based model must therefore connect digital safety with lawful, purpose-limited and proportionate information governance.⁵

A rights-based framework must also be remedial. Protection is incomplete when a student can identify a violation but cannot safely complain, obtain interim protection, continue learning or access appropriate support. Remedy therefore includes accessible reporting, confidentiality, protection against retaliation, continuity-of-learning measures, lawful referral and recovery, not merely discipline of an alleged perpetrator.⁶

The state of the art reveals several adjacent but only partially integrated strands of scholarship: constitutional and human-rights analysis, child-friendly and safe-school management, inclusive education and reasonable accommodation, student voice, and general school-governance research. Each strand illuminates a necessary part of protection, yet none of the reviewed approaches consistently maps binding legal duties to managerial process ownership, auditable evidence, corrective triggers and procedural safeguards for both students and educators under Indonesia's 2025-2026 regulatory reforms.⁷

⁵Undang-Undang Nomor 27 Tahun 2022 tentang Pelindungan Data Pribadi. Undang-undang ini menempatkan data anak dalam kategori data pribadi yang bersifat spesifik; Khofidhotur Rovida dan Sasmini, "Konsep Pencegahan Cyberbullying Berbasis Techno Prevention Pada Era Society 5.0 di Indonesia," *Jurnal Hukum IUS QUIA IUSTUM* 31, no. 2 (2024): 461–485.

⁶Putu Eva Ditayani Antari, "Pemenuhan Hak Anak yang Mengalami Kekerasan Seksual Berbasis Restorative Justice pada Masyarakat Tenganan Pegringsingan, Karangasem, Bali," *Jurnal HAM* 12, no. 1 (2021): 75–94; Suci Amelia Harlen, "Pemenuhan Hak Santri atas Kasus Pelanggaran Hak Asasi Manusia oleh Oknum Pondok Pesantren," *Jurnal HAM* 13, no. 2 (2022): 199–214.

⁷Gabriela Martinez Sainz and Dympna Devine, "A Rights-Based Exploration of Children's Pedagogic Voice in the Classroom," *Education* 3-13 52, no. 6 (2024): 874–890, <https://doi.org/10.1080/03004279.2024.2331953>; Kyriaki Messiou et al., "Student Voice for Promoting Inclusion in Primary Schools," *International Journal of Inclusive Education* 29, no. 7 (2025): 1168–1182, <https://doi.org/10.1080/13603116.2024.2317729>; Idan Zak-Doron and Lotem Perry-Hazan, "Teachers' Roles in Facilitating, Delimiting, and Balancing Student Participation Rights: The Case of Democratic (Open) Schools' Disciplinary Procedures," *Teaching and Teacher Education* 142 (2024): 104528, <https://doi.org/10.1016/j.tate.2024.104528>.

Table 2. Literature Map and the Specific Gap Addressed by RBSG

Prior approach	Representative literature	Main contribution	Limitation addressed by RBSG
Constitutional / human-rights approach	Palguna & Atmaja (2023); Sihombing & Hadita (2021)	Clarifies education as a protected right and equality obligation.	Usually does not translate each entitlement into routine school-management ownership, evidence and correction.
Child-friendly / safe-school management	Saptono (2022); Hartini et al. (2022); Sunardianta et al. (2024)	Explains prevention, school climate, personnel and implementation barriers.	Protection may remain programmatic rather than explicitly traced to legal status and enforceable rights.
Inclusive education / disability	Riyadi (2021); Jannah & Hermanto (2022); Lestari et al. (2025)	Shows material, pedagogic and accessibility barriers.	Often focuses on inclusion without integrating complaint, digital safety, educator due process and organization-wide accountability.
Student voice / participation	Martinez Sainz & Devine (2024); Messiou et al. (2025); Zak-Doron & Perry-Hazan (2024)	Shows how participation exposes hidden barriers and improves institutional learning.	Does not by itself provide a complete legal-governance cycle for planning, budgeting, remedy and monitoring.
General school governance / leadership	Ghamrawi (2023); Mincu (2024)	Connects leadership, institutional capacity and accountability.	Rights standards are not always used as the explicit test for each managerial function.

Source: Author's synthesis of the journal literature included in this manuscript.

This article addresses that gap by proposing Rights-Based School Governance (RBSG) as a normative evaluative layer rather than a new program or bureaucratic unit. RBSG differs from child-friendly school approaches because its organizing criterion is the legal status of rights and duties rather than a program label; it differs from safe-school approaches because it extends beyond safety to access, equality, participation, remedy and accountability; it differs from inclusive-education frameworks because it applies across rights clusters and governance functions rather than primarily to exclusion and accommodation; and it differs from general school governance because every managerial function is expressly tested against legality, prevention, inclusion, participation, remedy and accountability. Its distinct contribution is doctrinal traceability combined with operational ownership, evidence and correction.

RESEARCH METHOD

This study employs normative legal research, treating legal norms as the primary basis for evaluating school governance and formulating institutional prescriptions. It combines statutory and conceptual approaches. The statutory approach maps the relationship among constitutional guarantees, national education legislation, child-protection and disability law, personal-data protection, national management standards, and the 2026 safe-school framework. The conceptual approach connects positive duties, substantive equality, prevention, participation, proportionality, remedy and accountability with established functions of educational management. The method is doctrinal rather than empirical: it asks what education providers ought to organize and demonstrate when legal rights are translated into institutional practice.

Primary legal materials include the 1945 Constitution; Law No. 20 of 2003 on the National Education System; Law No. 35 of 2014 amending the Child Protection Law; Law No. 8 of 2016 on Persons with Disabilities; Law No. 27 of 2022 on Personal Data Protection; Regulation of the Minister of Primary and Secondary Education No. 26 of 2025 on Management Standards; Regulation No. 6 of 2026 on the Safe and Comfortable School Culture; and Regulation No. 4 of 2026 on the Protection of Educators and Education Personnel. Treaty commitments ratified by Indonesia, including the CRC, ICESCR and CRPD, are used to clarify the rights context within which national education governance operates.⁸

Secondary materials were handled as a structured purposive review rather than an exhaustive systematic review. For transparency, the revised protocol records Google Scholar, GARUDA, DOAJ and journal/DOI landing pages as the principal discovery and metadata-verification routes, with the search last updated on 15 August 2026. Search strings combined Indonesian and English terms for 'right to education/hak atas pendidikan', 'student rights/hak peserta didik', 'child-friendly school/sekolah ramah anak', 'safe school/school violence', 'inclusive education/disability/reasonable accommodation', 'student voice/participation', and 'school governance/educational management'. Inclusion required peer-reviewed scholarship directly relevant to Indonesian education rights or transferable governance concepts, identifiable publication metadata, and substantive relevance to at least one rights or management dimension. Editorials without analytical content, duplicate discussions, non-scholarly commentary and sources with unverifiable metadata were excluded. The principal literature window was 2021-2025 because the article seeks recent evidence immediately preceding the 2026 reform and captures contemporary inclusion, participation and digital-safety debates; older scholarship was retained only when necessary for foundational legal doctrine or a concept not adequately represented in the recent corpus. Primary legal materials were not time-limited. The final secondary corpus used in the synthesis comprises the 21 peer-reviewed journal articles listed in the References section; no claim of exhaustive prevalence or meta-analytic representativeness is made.

⁸Peraturan Menteri Pendidikan Dasar dan Menengah Nomor 4 Tahun 2026 tentang Perlindungan bagi Pendidik dan Tenaga Kependidikan (Berita Negara Republik Indonesia Tahun 2026 Nomor 13).

Legal materials were collected through inventory, classification and issue mapping. Because this is a single-author normative study, coding was conducted by the author in two passes. The first pass coded each legal or scholarly proposition by: (1) right or interest protected; (2) doctrinal status of the source (domestic binding norm, ratified treaty commitment, regulatory standard, or scholarly interpretation); (3) duty-bearer; (4) form of obligation; (5) managerial function implicated; (6) implementation or correction mechanism; and (7) potentially auditable evidence. For example, a reasonable-accommodation rule was coded under equality/inclusion, binding domestic law, education-provider duty, positive accommodation, planning/budgeting, support provision and accessibility evidence. The literature was then grouped into five descriptive clusters: constitutional entitlement and equality; access and inclusion; safety and violence prevention; child-friendly/rights-oriented school management; and participation, complaint and recovery. In the second pass, cross-cutting duties that recur across those clusters were separated into legal alignment and monitoring/accountability, while the substantive clusters were consolidated into planning/resources, safe environment, participation, and complaint/remedy. This transformation produced the six RBSG dimensions and provides an explicit audit trail from literature themes to governance categories.

Analysis was qualitative and prescriptive. Systematic interpretation was used to read rights provisions together with governance duties, and empirical findings in the cited studies were treated only as secondary legal-policy material rather than field data generated by this research. Each proposed RBSG dimension was then assessed against six principles - legality, prevention, inclusion, participation, remedy and accountability. The assessment used three labels: primary (the principle is directly operationalized by the dimension), supporting (the dimension materially contributes to the principle), and tension-sensitive (implementation requires explicit balancing, especially proportionality, privacy or procedural fairness). This procedure is summarized in Table 3 and is used to distinguish legal requirements from the author's proposed managerial operationalization.

Table 3. Six-Principle Assessment of the Proposed RBSG Dimensions

RBSG dimension	Primary principle(s)	Supporting principle(s)	Main tension-sensitive test
Legal alignment and rights mapping	Legality; accountability	Prevention; remedy	Avoid treating author-designed indicators as if they were themselves binding law.
Inclusive planning and equitable resources	Inclusion; prevention	Legality; participation; accountability	Differentiated resources must be justified by actual barriers and proportionate need.

RBSG dimension	Primary principle(s)	Supporting principle(s)	Main tension-sensitive test
Safe and dignified learning environment	Prevention; inclusion	Legality; accountability; remedy	Safety controls must remain proportionate and must not become degrading or excessive surveillance.
Meaningful student participation	Participation; inclusion	Prevention; accountability	Voice must be meaningful while adult duty-bearers retain lawful protective responsibility.
Accessible complaint, response and remedy	Remedy; legality	Prevention; accountability; participation	Child-centred protection must coexist with confidentiality and procedural fairness for respondents.
Rights-based monitoring, evaluation and accountability	Accountability; prevention	Legality; inclusion; remedy	Data collection must have lawful purpose, security, retention limits and privacy safeguards.

Source: Author's normative assessment; 'primary', 'supporting' and 'tension-sensitive' are analytical labels, not statutory classifications.

RESULTS AND DISCUSSION

The Legal Architecture of Students' Rights in Indonesian Education Law

Students' rights are rooted in the constitutional status of education and therefore have a positive dimension. Effective realization requires institutions, funding, policies and procedures that allow learners to enter, remain in and meaningfully benefit from education. The state and education providers are not discharged merely by refraining from direct interference; they must organize conditions under which the right can actually be enjoyed. Indonesian constitutional scholarship similarly understands the right to education as generating continuing policy obligations directed toward increasingly effective fulfilment. At school level, this positive character converts an abstract constitutional guarantee into a duty to design services, allocate support and respond to foreseeable barriers rather than merely keep enrolment formally open.⁹

For governance purposes, the dispersed legal norms can be organized into six interrelated rights clusters: access and continuity; equality and non-discrimination; physical, psychological, sociocultural and digital safety; appropriate and accessible educational service including reasonable accommodation; participation; and accessible complaint, protection and effective remedy. Table 4 makes the doctrinal status explicit. Domestic constitutional, statutory and regulatory norms are distinguished from ratified treaty commitments and from RBSG's own managerial interpretation. The table therefore does not imply that every proposed indicator is

⁹Palguna dan Atmaja, "Konsepsi Pendidikan Sebagai Hak Konstitusional," 350–370.

legally mandatory; where RBSG adds an audit device, threshold or workflow, it is identified as an authorial operationalization of an underlying legal duty.

Table 4. Doctrinal Map of the Six Students' Rights Clusters

Rights cluster	Domestic binding basis	Ratified treaty commitment	Regulatory operationalization	RBSG status
Access and continuity	UUD 1945 Art. 31(1); Law No. 20/2003 Arts. 5 and 11	ICESCR Art. 13; CRC Arts. 28-29	Management Standards (Permendikdasmen No. 26/2025)	Binding right/duty; attendance-risk and continuity indicators are proposed audit tools.
Equality and non-discrimination	UUD 1945 Art. 28I(2); Law No. 20/2003 Art. 5; Law No. 8/2016	CRC Art. 2; CRPD Arts. 5 and 24	Permendikbudristek No. 48/2023 on reasonable accommodation	Binding equality duties; rights-impact review and equity budgeting are proposed RBSG tools.
Physical, psychological, sociocultural and digital safety	UUD 1945 Art. 28B(2); Child Protection Law, including Art. 54	CRC Art. 19	Permendikdasmen No. 6/2026	Binding protection duty; risk registers and experience-based indicators are proposed operationalization.
Accessible service and reasonable accommodation	Law No. 8/2016; PP No. 13/2020	CRPD Art. 24	Permendikbudristek No. 48/2023	Binding accommodation framework; staged accessibility audit is an RBSG management device.
Participation	Child Protection Law (Law No. 23/2002 as amended), Art. 10	CRC Art. 12	Implemented through school decision-making and relevant participation mechanisms	Binding participation principle; forums, surveys and feedback logs are proposed evidence mechanisms.
Complaint, protection and remedy	Child Protection Law; applicable administrative, civil and criminal protection mechanisms	CRC Arts. 19 and 39	Permendikdasmen No. 6/2026 and sectoral referral mechanisms	Underlying protection/remedy duties are binding; the integrated complaint workflow and audit thresholds are RBSG proposals.

Source: Author's doctrinal mapping. Treaty articles are international commitments ratified by Indonesia; RBSG audit devices are the author's proposed operationalization unless a regulation expressly requires them.

Access must be understood more broadly than admission. A learner may be formally registered while substantively excluded because indirect costs, inaccessible facilities, unsuitable teaching methods, stigma, violence, family responsibilities or other social pressures prevent safe and sustained participation. Research on working children demonstrates that continuity of education may depend on coordinated protection beyond the school itself. Similar reasoning applies to poverty, disability and other forms of vulnerability. Management indicators should therefore not stop at intake numbers. Attendance patterns, repeated absence, risk of dropout, barriers to particular activities, access to counseling and the availability of targeted support are legally relevant because they reveal whether formal access has become meaningful educational opportunity.¹⁰

Equality has both formal and substantive dimensions. Formal equality prohibits unjustified differential treatment; substantive equality may require differentiated support to remove an existing barrier. This distinction is crucial in education because identical procedures do not necessarily generate equal opportunity. A single-format learning resource, uniform assessment method or rigid attendance rule may appear neutral yet disadvantage a learner whose disability or circumstances require adjustment. Indonesian research on educational accessibility shows how physical and service barriers can render formal recognition ineffective. Rights-based governance should therefore include an impact test: whether a criterion is relevant to a legitimate objective, whether a less restrictive alternative is available, and whether reasonable accommodation or targeted support is required to achieve substantive equality.¹¹

The right to safety likewise extends beyond freedom from physical assault. The 2026 Safe and Comfortable School Culture framework places physical protection alongside psychological well-being, sociocultural security, spiritual needs, and digital civility and safety. This broader construction recognizes that humiliation, identity-based bullying, discriminatory jokes, coercive practices, exclusion and harmful online conduct can disrupt learning without producing visible physical injury. Safety should consequently be understood as both a pedagogical condition and a legal entitlement: students must be able to participate in educational activities without fear, degradation or avoidable exposure to harm. The managerial duty is to make that condition systematic through risk assessment, rules, training, supervision, reporting pathways and follow-up.¹²

Participation gives students' rights a procedural dimension. Many school decisions affect learners directly but are designed exclusively from an adult perspective. Rights-based governance does not require children to control every decision or displace professional responsibility; it requires institutions to create safe, developmentally appropriate mechanisms through which experience and

¹⁰Suryana, Kurniaty, dan Martha, "A Model for Protecting the Right to Education for Child Labour," 371–395.

¹¹Riyadi, "Pelaksanaan Pemenuhan Hak Atas Aksesibilitas Pendidikan Tinggi," 71–93.

¹²Peraturan Menteri Pendidikan Dasar dan Menengah Nomor 6 Tahun 2026 tentang Budaya Sekolah Aman dan Nyaman.

views can influence decisions that affect them. Indonesian human-rights education research supports active and dialogic learning, while international studies show that student voice becomes meaningful when adults listen, engage in dialogue and convert input into action rather than collecting symbolic feedback. Participation may therefore include climate surveys, class forums, consultation on rules, child-friendly complaint channels and structured involvement in evaluation.¹³

The right to remedy completes substantive and procedural protection. A prohibition without an accessible enforcement pathway leaves a student dependent on informal power relationships. A credible complaint mechanism must be known, understandable, confidential where necessary, responsive within defined timeframes and capable of connecting the complainant with protection and professional support. Research on children who experience sexual violence highlights the importance of assistance and rehabilitation, demonstrating why a rights response cannot end with punishment of the perpetrator. For school governance, success must be measured not simply by whether a case file is administratively closed but by whether safety, dignity, educational continuity and access to appropriate services have been restored.¹⁴

Educational Management as a Legal Governance Instrument

Educational management is commonly understood as directing people, resources and organizational processes toward educational objectives. Education law adds a decisive qualification: both the objectives and the means used to achieve them must conform to rights standards. An efficient policy is not necessarily a lawful or legitimate policy. A disciplinary rule that reduces tardiness may still be disproportionate if it excludes a child from learning; a digital system that reduces administrative workload may be problematic if it is inaccessible or processes sensitive data without adequate safeguards. Governance scholarship further shows that leadership quality depends on regulatory arrangements, organizational capacity and context. Rights therefore operate simultaneously as a boundary on managerial discretion and as an orientation for institutional improvement.¹⁵

Planning is the first protective function because many risks are foreseeable before a program begins. School work plans, budgets, calendars, procurement, extracurricular activities, counseling, assessment, digital platforms and off-site learning each create distinct rights implications. Rights-based planning requires a proportionate ex ante assessment: who may be unable to participate, whether facilities or information are accessible, what safety risks are predictable, whether personal data will be processed, how complaints can be raised, and what resources are available if an incident occurs. The 2025 Management Standards provide a regulatory anchor for treating planning, implementation and supervision as connected institutional duties rather than isolated administrative documents.¹⁶

¹³Fazli Rachman, Majda El Muhtaj, Reh Bungana Beru Perangin-angin, dan Prayetno, "Human Rights Education Within 'Presisi' Curriculum: A Study of State Police School in North Sumatra," *Jurnal HAM* 15, no. 2 (2024): 111–128.

¹⁴Antari, "Pemenuhan Hak Anak yang Mengalami Kekerasan Seksual," 75–94.

¹⁵Ghamrawi, "Toward Agenda 2030 in Education," 325–347; Mincu, "Governance Mechanisms," 103–119.

¹⁶Peraturan Menteri Pendidikan Dasar dan Menengah Nomor 26 Tahun 2025 tentang Standar Pengelolaan.

Organization translates norms into responsibility. Many protective policies fail not because rules are absent, but because staff do not know who must act, to whom an incident must be escalated, who is authorized to make an interim safety decision, and which person has the competence to coordinate with external services. Indonesian research on the personnel component of child-friendly school programs identifies uneven training and limited counseling support in the studied context. A rights-based structure therefore requires clear process ownership, documented escalation routes, periodic training, role continuity when key staff are absent, and safeguards against conflicts of interest. Protection cannot depend on a single enthusiastic individual whose transfer or workload immediately disables the system.¹⁷

Implementation is where rights are directly experienced. Teaching, assessment, discipline, teacher-student interaction, extracurricular activities, work placements and technology use must be conducted consistently with safety, dignity and non-discrimination. Research on vocational students undertaking practical work emphasizes the need for legal protection, guidance and supervision when learners are placed in third-party environments. The principle is broader than vocational education: delegation of an activity does not automatically terminate the education provider's responsibility. Agreements with partners, risk assessment, supervision, communication with students and parents, incident-response procedures and review mechanisms remain necessary wherever institutional decisions expose students to risks beyond the immediate physical control of the school.¹⁸

Monitoring should focus primarily on the performance of the protection system, not on maximizing surveillance of students. Schools need to know whether rules are applied consistently, whether particular groups are sanctioned disproportionately, whether complaints are delayed, whether incidents cluster at specific locations or times, and whether corrective recommendations are implemented. Such information can be produced through aggregated or pseudonymized data when individual identification is unnecessary. This distinction prevents two opposite governance failures: institutional blindness to repeat patterns and excessive monitoring that undermines privacy, trust and psychological safety. A rights-based monitoring system is therefore selective, purpose-limited and designed to generate corrective information rather than to normalize continuous observation.

Evaluation provides the foundation for accountability. A conventional program review may ask whether an activity occurred and whether spending matched the plan. A rights-based evaluation adds different questions: who benefited, who was left out, which risk materialized, which complaint remained unresolved, what accommodation was unavailable, and whether the intervention restored access and safety. Indonesian research showing that child-friendly school policy still requires implementation improvement demonstrates why the existence

¹⁷Apriyanto et al., "Analysis Study of the Gaps in Elementary School Personnel Components," 38–51.

¹⁸Amelia Haryanti, Bambang Santoso, dan Dindin, "Legal Protection for Vocational School Students Undertaking Practical Work Experience during the Pandemic," *Jurnal Civics: Media Kajian Kewarganegaraan* 20, no. 1 (2023): 36–46.

of a program cannot be equated with effective protection. Appropriate indicators include perceived safety, counseling accessibility, response time, continuity of learning after an incident, physical and digital accessibility, repeated patterns of exclusion, and completion of corrective recommendations.¹⁹

Documentation is necessary for accountability, continuity of service and organizational learning, but it must remain proportionate. Incident records, risk assessments, referrals and follow-up decisions can protect students when personnel change or cases require coordination, yet unnecessary circulation of sensitive information can generate a second harm. Access controls should therefore reflect functional need, retention periods should be defined, and management reporting should prefer aggregation where individual identification is unnecessary. The same caution applies to technological prevention of cyberbullying: digital tools may assist education or detection, but institutional decisions must still consider transparency, purpose limitation, proportionality and the risk of error. The Personal Data Protection Law strengthens this governance requirement for children's information.²⁰

Viewed together, management functions form a protection chain. Failure at one point can migrate across the system: planning that ignores disability needs produces inaccessible procurement; ambiguous organization sends complaints between offices without ownership; unsafe implementation produces preventable incidents; weak monitoring conceals recurring patterns; and purely administrative evaluation allows the same problem to return. The opposite is also true. When each function is linked to explicit rights standards and evidence requirements, the institution can move from formal compliance to substantive protection. The legal value of management therefore lies not in bureaucracy for its own sake but in its capacity to make duties predictable, assignable, reviewable and correctable before and after harm occurs.

From Incident Response to Safe-School Ecosystem Governance under the 2026 Reform

Protection from violence provides the clearest illustration of why law and management must be integrated. Violence in education can arise through authority relationships, peer dynamics, discriminatory norms, digital interaction, fear of stigma or concern about academic consequences. A rule prohibiting violence is necessary but institutionally insufficient. Schools must reduce opportunities for harm, communicate behavioral boundaries, provide trusted adults, create multiple reporting routes and ensure that a report does not expose the student to retaliation or educational disadvantage. The 2026 reform is important because it supports this preventive ecosystem logic: protection is treated as a feature of school culture, management and resourcing rather than as a sequence activated only after an incident is formally classified.

Studies of elementary-school protection show that barriers may originate both inside and outside the institution. This does not mean that schools carry unlimited responsibility for every event in a child's life. A defensible standard is organizational

¹⁹Saptono, "Implications of Child-Friendly School Policies," 96–103.

²⁰Undang-Undang Nomor 27 Tahun 2022 tentang Pelindungan Data Pribadi; Rovida dan Sasmini, "Konsep Pencegahan Cyberbullying Berbasis Techno Prevention," 461–485.

reasonableness: the school should maintain sensible procedures for receiving information, assessing foreseeable risk, coordinating with families and competent authorities, and acting when it knows or reasonably should know that educational safety is threatened. This distinction avoids two extremes. It rejects the claim that schools are responsible only for conduct physically occurring on campus, while also rejecting an unrealistic assumption that managers can control all off-site behavior. The relevant legal question is whether the institutional response was reasonable, timely and rights-consistent.²¹

Regulation No. 6 of 2026 provides a wider framework than case handling alone. Spiritual needs must be approached through respect for diversity rather than coercion; physical protection requires safe facilities, activities and supervision; psychological and sociocultural security require an interaction climate that protects dignity and resists discrimination; and digital civility and safety require both education and response capability. These dimensions can be converted into an annual rights-and-risk audit. Such an audit should not merely confirm the existence of policies. It should examine whether students understand them, whether personnel can apply them, whether resources are available, whether high-risk locations and activities have been identified, and whether previous recommendations have actually changed practice.²²

A culture-based approach shifts analysis from individual actors alone to the conditions that permit misconduct to recur. After an incident, management should ask not only who acted unlawfully, but also what organizational features enabled the event: Was supervision predictably absent? Were rules ambiguous or selectively enforced? Had discriminatory language been normalized? Did students know how to report concerns? Did adults treat earlier warnings seriously? Did a disciplinary response unintentionally burden the victim? These questions do not dilute individual accountability. They add institutional accountability, allowing each incident to become evidence for system correction. A mature safe-school culture therefore combines responsibility for individual behavior with a continuous obligation to learn from patterns and redesign preventable risk.

Where sexual violence or other serious harm is alleged, a victim-oriented response is essential. Indonesian research emphasizes prevention education, complaint services, family support and access to education and health after abuse. The management consequence is that continuity of learning must form part of the response protocol. A protected student should not bear new academic penalties because protective measures or legal processes disrupt ordinary attendance. Adjusted schedules, alternative learning arrangements, temporary changes of class or activity where appropriate to the student's interests, and referral to psychological, health or legal services should be capable of activation through a clear procedure. The school must also know the limits of its authority and refer matters that require external competence.²³

An effective complaint architecture should contain multiple safe entry points, age-appropriate information, confidentiality and access controls, risk triage,

²¹Hartini, Hanum, dan Priyanto, "Obstacles and Efforts to Overcome Them," 336–342.

²²Peraturan Menteri Pendidikan Dasar dan Menengah Nomor 6 Tahun 2026 tentang Budaya Sekolah Aman dan Nyaman.

²³Harlen, "Pemenuhan Hak Santri atas Kasus Pelanggaran Hak Asasi Manusia," 199–214.

documented follow-up, anti-retaliation protection and escalation where the first recipient has a conflict of interest. Child-centred protection does not eliminate procedural fairness for respondents. Where an allegation concerns an educator or other person, the procedure should provide timely notice consistent with safety needs, impartial fact-finding, management of conflicts of interest, a meaningful opportunity to respond, a reasoned outcome, and an internal review or appeal route where available. Interim measures should be protective rather than punitive and should be periodically reviewed. These safeguards reduce both under-response to student harm and arbitrary treatment of educators.

Students' rights must therefore be implemented alongside procedural certainty for educators and education personnel. Regulation No. 4 of 2026 recognizes legal, professional, occupational-safety and other forms of protection for education personnel. A rights-based school does not remove pedagogical authority; it requires that authority have a legitimate educational purpose, be exercised proportionately, avoid degrading treatment and remain reviewable when contested. The two-sided safeguards in Table 5 operationalize this balance without treating student protection and educator protection as opposing interests.²⁴

Table 5. Two-Sided Procedural Safeguards in School Complaint Handling

Stage	Student / complainant safeguards	Educator / respondent safeguards	Shared institutional duty
Complaint intake	Multiple accessible channels; age-appropriate explanation; confidentiality; anti-retaliation; immediate safety triage.	Notice when compatible with safety and integrity of the process; protection from public prejudgment; confidentiality.	Register the complaint, screen urgency, manage conflicts of interest and identify a responsible case owner.
Fact-finding / investigation	Trauma-sensitive communication; support person where appropriate; avoid repetitive questioning; continuity of learning.	Impartial fact-finding; opportunity to know material allegations and respond; no presumption of guilt; representation/support where applicable.	Use relevant evidence, limit access to need-to-know personnel, document reasons and refer externally when required.
Interim measures	Immediate protection from foreseeable harm; academic adjustments where necessary.	Measures should not be punitive before findings; minimize unnecessary professional harm; periodic review.	Choose the least restrictive measure capable of managing identified risk and record the rationale and review date.
Outcome and review	Clear explanation within lawful limits; remedy, referral, recovery and protection against retaliation.	Reasoned outcome; access to internal review/appeal where available; restoration where allegations are not substantiated.	Close corrective actions, preserve lawful records, identify systemic lessons and prevent recurrence.

²⁴Peraturan Menteri Pendidikan Dasar dan Menengah Nomor 4 Tahun 2026 tentang Perlindungan bagi Pendidik dan Tenaga Kependidikan.

Source: Author's normative synthesis. The matrix operationalizes child-centred protection, procedural fairness and educator protection; it does not replace procedures mandated by applicable law.

Safe-school culture is therefore a continuous management product. It is shaped by recruitment and task allocation, induction and training, physical design, social-emotional learning, codes of conduct, complaint systems, family engagement, data governance, digital practice and evaluation of school climate. Responsibility cannot be delegated to a single committee or counselor. The school leader provides direction and accountability, but every unit carries duties proportionate to its function. This organizational distribution also supports resilience: protective capacity should survive personnel turnover, leave and changes in leadership. The objective is not a risk-free school - an impossible standard - but a school that systematically identifies risks, reduces avoidable harm, responds competently and learns from what occurs.

Equality, Inclusion, Participation, and Non-Discrimination in School Governance

Equality is a core measure of the legitimacy of educational policy because managerial decisions continually distribute resources, time, opportunities and access. Admissions, class assignment, scholarships, extracurricular eligibility, assessment rules and disciplinary measures can all create different effects across groups. Indonesian analysis of zoning policy shows why access decisions should be evaluated through equality and justice rather than administrative simplicity alone. A rights-based manager should therefore document the objective of a criterion, its connection to that objective, its differential effects and the availability of less exclusionary alternatives. This type of reasoning converts non-discrimination from a general declaration into a practical decision rule that can be used before policy adoption and during later review.²⁵

For students with disabilities, the equality test must include accessibility and reasonable accommodation. Research in Indonesia indicates that insufficient infrastructure, budgets and staff understanding can impede inclusive education despite formal policy commitments. The disability-rights framework requires institutions to distinguish between a legitimate academic standard and an avoidable barrier in the way that standard is delivered or assessed. Schools should inventory barriers, prioritize correction according to risk and feasibility, provide reasonable adjustments without waiting for a separate flagship program, and record unresolved accessibility needs so that they enter planning and budgeting cycles. Indonesia's ratification of the CRPD reinforces the principle that inclusion concerns the design of the education system, not merely placement of individual students.²⁶

The same logic extends to religion or belief, socioeconomic condition, gender, cultural background and other characteristics protected by constitutional or statutory norms. Research concerning children from the Sunda Wiwitan community

²⁵Sihombing dan Hadita, "Persamaan Hak Atas Pendidikan terhadap Penerapan Sistem Zonasi," 179-192.

²⁶Undang-Undang Nomor 19 Tahun 2011 tentang Pengesahan Convention on the Rights of Persons with Disabilities; Jannah dan Hermanto, "Implementation of Inclusive Education at Elementary Schools," 171-179; Riyadi, "Pelaksanaan Pemenuhan Hak Atas Aksesibilitas Pendidikan Tinggi," 71-93.

demonstrates that fulfilment of some rights can coexist with inequality in others. Aggregate indicators are therefore insufficient. A school may report high overall satisfaction while a small group repeatedly encounters administrative barriers, stigma or inability to access services consistent with its needs. Rights-based evaluation should include disaggregated analysis where lawful and ethically appropriate, supplemented by qualitative feedback that can reveal problems hidden by averages. The purpose is not to label vulnerable students, but to prevent apparently successful institutions from overlooking patterned disadvantage.²⁷

Budget justice is a frequently neglected aspect of inclusion. Rights-based budgeting does not mean equal expenditure for every student; it means that allocation is responsive to barriers, risk and legally relevant need. Accessibility modifications, counseling, safe transport, specialist support, staff training, digital-safety measures or differentiated learning materials may require greater expenditure for particular groups or activities. Such differentiation can be justified when it removes a real obstacle and is transparently connected to a rights objective. Conversely, general appeals to efficiency cannot automatically justify a policy that predictably excludes vulnerable learners. A school budget is therefore not value-neutral: it is one of the principal instruments through which institutional priorities and positive legal duties become material.

Inclusion must also reach pedagogy. Indonesian child-friendly learning research emphasizes varied methods, active participation, gender sensitivity, adequate infrastructure and meaningful learning experiences. These features can be interpreted legally as practical expressions of dignity and non-discrimination. International student-voice research adds that learners can identify barriers and propose changes that are not obvious from adult observation alone. Teachers retain professional discretion over methods and assessment, but that discretion should be exercised so that students have a reasonable opportunity to participate and demonstrate learning. The crucial distinction is between a legitimate competency standard and an unnecessarily rigid procedure that becomes an avoidable barrier.²⁸

Data can support inclusion only if it is governed carefully. Under Law No. 27 of 2022 on Personal Data Protection, children's data are classified as specific personal data, and processing is subject to principles that include limited and specific collection, lawfulness and transparency, purpose limitation, data accuracy, security, retention/deletion discipline and accountability. Schools should identify a lawful basis for processing, apply special safeguards when processing children's data, restrict access to personnel with a legitimate function, and align collection and retention with the stated educational or protective purpose. Aggregation or pseudonymization should be preferred for management reporting when individual identity is unnecessary. These practices are partly direct legal duties and partly RBSG operational safeguards designed to reduce the risk that monitoring for inclusion itself creates stigma, surveillance or security harm.²⁹

²⁷Moh Zaenal Abidin Eko Putro dan Kustini Kosasih, "Ketimpangan Antara Pemenuhan Hak Sipil dan Hak-Hak lainnya pada Anak Sunda Wiwitan, Cireundeu, Cimahi," *Jurnal HAM* 12, no. 3 (2021): 485–502.

²⁸Messiou et al., "Student Voice for Promoting Inclusion in Primary Schools," 1168–1182; Sunardianta et al., "Child-Friendly School-Based Learning Management Model," 459–469.

²⁹Undang-Undang Nomor 27 Tahun 2022 tentang Pelindungan Data Pribadi.

Equality and inclusion ultimately require a correction mechanism. A rule adopted in good faith may later produce effects that were not foreseen, and rights-based governance must permit revision when evidence demonstrates unfair impact. Evaluation should therefore be connected to authority and timelines for changing criteria, procedures, resource allocation or implementation guidance. Institutional willingness to revise a policy is not evidence of managerial weakness; it is part of accountable governance. Schools that treat procedures as permanently fixed once approved are more likely to reproduce structural discrimination than schools that use complaints, participation and monitoring as feedback. The central principle is that legality is maintained through continuing review, not through static fidelity to a document.

The Rights-Based School Governance (RBSG) Model

On the basis of the statutory construction and literature synthesis, this study proposes the Rights-Based School Governance (RBSG) model as a normative framework in which fulfilment of students' rights becomes a criterion within every managerial function. RBSG does not create new legal rights or replace existing school-management systems. Its legal foundation comes from binding constitutional, statutory and regulatory duties; its distinctive contribution is the author's operational layer that assigns process ownership, evidence, measurement and correction. Accordingly, the manuscript uses 'must' only where a legal obligation is being described and uses 'should' or 'proposed' for RBSG practices that translate those duties into auditable management.

The first dimension is legal alignment and rights mapping. Each education provider should maintain an updated map of the legal norms applicable to its activities and convert major requirements into operational duties. The need is illustrated by the 2026 regulatory change that replaced the 2023 violence-prevention framework with the Safe and Comfortable School Culture approach. A regulation register alone is not enough. For each significant obligation, the school should identify the right protected, the responsible role, the relevant procedure or resource, the evidence of implementation and the review mechanism. This reduces the risk of symbolic compliance in which legal documents are available but do not influence decisions, training, budgets or daily practice.³⁰

The second dimension is inclusive planning and equitable resource allocation. Before a significant program is implemented, the school should conduct a proportionate rights-impact and risk assessment: which students may be excluded, what accessibility needs may arise, what safety or data risks are foreseeable, what support is required, and how costs will be financed. The approach is consistent with evidence that inclusion depends on staffing, facilities, professional understanding and budget. It also fits the logic of the 2025 Management Standards by connecting planning to implementation and supervision. Early assessment allows design problems to be corrected before they become rights violations and helps managers justify differentiated resource allocation through transparent, rights-based reasons.³¹

³⁰Peraturan Menteri Pendidikan Dasar dan Menengah Nomor 6 Tahun 2026 tentang Budaya Sekolah Aman dan Nyaman, yang mencabut Permendikbudristek Nomor 46 Tahun 2023.

³¹Jannah dan Hermanto, "Implementation of Inclusive Education at Elementary Schools," 171–179.

The third dimension is a safe and dignified learning environment. It integrates physical, psychological, sociocultural and digital safety with respectful discipline and inclusive teaching. Its instruments can include activity risk assessments, proportionate codes of conduct, mapping of vulnerable locations, anti-bullying education, digital-interaction protocols, staff capacity building, safeguarding arrangements for off-site activities and emergency response procedures. Research on child-friendly schools indicates that implementation quality depends on personnel, coordination and follow-up rather than the mere existence of policy. RBSG therefore emphasizes experiential indicators, including whether students actually feel safe, know where to seek help and experience consistent responses when concerns are raised.³²

The fourth dimension is meaningful student participation. Students should receive accessible information about their rights, rules, risks and available support, and they should have structured opportunities to influence matters that shape everyday educational experience. Participation is not equivalent to transferring the school's protective responsibility to children. Adult duty-bearers retain responsibility for lawful and safe decisions. The purpose is to obtain knowledge unavailable from administrative data alone and to strengthen institutional trust. International studies show that student voice has greatest value when schools provide space to speak, genuinely listen, facilitate dialogue, act on input and establish safeguards where participation affects the rights of others.³³

The fifth dimension is accessible complaint, response and remedy. The system should provide low-threshold entry points, risk triage, confidentiality controls, documentation limited to functional need, referral pathways, protection from retaliation and measures that preserve continuity of learning. The school must also recognize the boundaries of its competence. Matters requiring medical care, child-protection intervention or criminal or civil processes should be referred lawfully to competent institutions. The school's continuing responsibility is to maintain safety within education, protect access to learning, cooperate with authorized actors and avoid aggravating harm through insensitive procedure. A case is not satisfactorily resolved merely because it has been transferred outside the school.³⁴

The sixth dimension is rights-based monitoring, evaluation and accountability. Schools should combine quantitative and qualitative indicators. Quantitative measures may include complaint response time, trained-personnel coverage, accessibility progress, completion of risk-mitigation actions, repeat incidents and continuity of attendance after intervention. Qualitative indicators may include perceived safety, experiences of discrimination, trust in complaint pathways, quality of participation and perceived accessibility of support. Data must inform decisions rather than function only as a reporting requirement. Accountability means that an evaluation finding produces an identified owner, a corrective action, a realistic

³²Saptono, "Implications of Child-Friendly School Policies," 96–103; Apriyanto et al., "Analysis Study of the Gaps in Elementary School Personnel Components," 38–51.

³³Martinez Sainz and Devine, "A Rights-Based Exploration of Children's Pedagogic Voice," 874–890; Messiou et al., "Student Voice for Promoting Inclusion," 1168–1182; Zak-Doron and Perry-Hazan, "Teachers' Roles in Facilitating, Delimiting, and Balancing Student Participation Rights," 104528.

³⁴Antari, "Pemenuhan Hak Anak yang Mengalami Kekerasan Seksual," 75–94; Harlen, "Pemenuhan Hak Santri," 199–214.

deadline and later verification. Without this final loop, monitoring becomes documentation without institutional learning.

The six dimensions are interdependent and should operate as a cycle. Legal alignment without resources produces obligations that cannot be implemented. Resources allocated without participation may fail to address actual barriers. A safe-environment policy without credible complaint channels can conceal harm. Complaint handling without recovery can turn affected students into administrative files. Evaluation without authority to require corrective action creates repetitive reporting. RBSG therefore links rights mapping, planning, organization, implementation, monitoring, complaint and remedy, evaluation and policy renewal. This cyclical design is the model's principal governance contribution: it converts rights protection from a specialist reaction into a recurrent management process that can be evidenced and audited.

RBSG also provides a principled way to balance students' rights with the professional protection of educators. Schools require teachers who can exercise lawful authority, make pedagogical judgments and perform their duties without arbitrary accusation or unsafe working conditions. Students, in turn, require assurance that authority is exercised for a legitimate purpose, proportionately and through reviewable procedures. Transparent standards benefit both groups. They clarify expected conduct, create reliable documentation, reduce dependence on informal power and allow disputed decisions to be reviewed institutionally rather than through public pressure alone. The 2026 protection framework for educators and the rights of students should therefore be managed as mutually reinforcing dimensions of lawful governance, not as inherently opposing interests.³⁵

For implementation, the six dimensions can be translated into a management matrix that distinguishes the underlying legal objective from the proposed RBSG instrument. The process owner may vary by school size, but every material duty requires a formally assigned role, documentary evidence, a measurement method and a review trigger. Table 6 therefore treats auditability as part of the model's operational contribution rather than as a claim that the indicators themselves are statutory requirements.

Table 6. Expanded Operational Matrix of the Rights-Based School Governance (RBSG) Model

RBSG dimension	Status / objective	Process owner	Core instrument	Evidence & measurement	Minimum / review trigger
Legal alignment and rights mapping	Binding legality duties + proposed mapping	Principal / compliance lead	Legal register; duty map; ownership	Current register; named owner; annual check	Annual review and whenever relevant law changes.

³⁵Peraturan Menteri Pendidikan Dasar dan Menengah Nomor 4 Tahun 2026 tentang Perlindungan bagi Pendidik dan Tenaga Kependidikan.

RBSG dimension	Status / objective	Process owner	Core instrument	Evidence & measurement	Minimum / review trigger
Inclusive planning and equitable resources	Binding access/equality duties + proposed impact review	Principal; curriculum/student services; budget lead	Rights-impact review; accessibility plan; equity budget	Barrier record; accommodation plan; funded support	Before major programs/budgets; earlier if exclusion patterns appear.
Safe and dignified learning environment	Binding protection duties + proposed risk audit	Principal; safety lead; activity owner	Risk controls; proportionate discipline; digital/off-site protocols	Risk register; training coverage; response time; safety trend	Escalate serious harm, repeated incidents or unresolved high-risk hazards.
Meaningful student participation	Binding participation principle + proposed evidence tools	Student affairs/counseling; class advisers	Accessible information; forums; surveys; consultation	Group participation; feedback log; action on input	Review when groups are absent or barriers remain unaddressed.
Complaint, response and remedy	Binding protection/fairness duties + proposed workflow	Complaint officer; principal; conflict-free reviewer	Multiple channels; triage; confidentiality; referral; review	Acknowledgement /triage time; learning continuity; referrals; outcome record	Immediate escalation for urgent safety/health risk; review overdue cases.
Monitoring, evaluation and accountability	Binding management duties + proposed rights metrics	Principal; internal review; local supervisor as applicable	Pattern monitoring; rights indicators; corrective plans	Closed actions; repeat-risk trend; accessibility progress; lawful aggregate report	Annual management review; earlier for recurring patterns or serious incidents.

Source: Author's normative synthesis, 2026.

The matrix demonstrates that students' rights can be embedded in familiar management instruments without creating a parallel bureaucracy. A work plan can contain rights-impact and risk assessment; budgeting can identify accessibility and safeguarding resources; staff development can be tied to defined responsibilities; information systems can track follow-up without exposing identities unnecessarily; instructional supervision can include inclusion and dignity indicators; and periodic management review can verify that corrective recommendations have been completed. Integration is more sustainable than a stand-alone project dependent on

temporary funding or a particular individual because it places protection inside recurring organizational processes.

Implementation should be governed by proportionality. RBSG therefore proposes a simple low/medium/high risk classification to calibrate administrative intensity. This classification is an authorial governance device, not a statutory category. Risk should be determined by the activity owner in consultation with the designated safeguarding or management role, considering severity, likelihood, vulnerability, reversibility, data sensitivity, off-site exposure and the adequacy of available controls. High-risk classifications require approval or escalation to the school principal/head of education unit and external referral where the applicable law or nature of the harm requires it.

Table 7. Proposed RBSG Risk Classification and Minimum Safeguards

Risk level	Illustrative situations	Minimum safeguards	Decision / escalation authority
Low	Routine classroom activity; no sensitive data; ordinary foreseeable risks.	Standard classroom/school procedures; simple safety and inclusion check; ordinary record where required.	Teacher/activity owner under approved school procedures.
Medium	Day off-site activity; material accessibility need; moderate digital/data processing; recurring conflict or bullying concern.	Documented risk/rights-impact review; assigned owner; consent or lawful-basis check where relevant; accessibility and safety controls; scheduled review.	Activity owner plus designated coordinator/vice-principal or equivalent management role.
High	Serious violence or sexual-harm allegation; sensitive child data at scale; overnight/high-hazard activity; credible retaliation risk; urgent health/safety threat.	Formal assessment; immediate protective triage; restricted access to information; documented interim measures; principal approval; external referral where required; frequent review.	Principal/head of education unit with designated safeguarding lead; competent external authority where legally or clinically required.

Source: Author's proposed proportionality framework. Risk levels calibrate RBSG procedure and do not replace statutory reporting, referral or emergency duties.

At local-government level, RBSG can support supervision and shared services. Local authorities can develop minimum audit guidance, cross-school training, specialist referral arrangements, counseling support and secure aggregated reporting that individual schools may not be able to maintain economically. They can also use recurring patterns to target capacity building without publishing identifying case information. Schools should retain contextual flexibility, but basic rights standards should not depend entirely on local resources or leadership preference. This ecosystem approach reflects the reality that fulfilment of education

rights involves multiple duty-bearers and is especially important for smaller or remote institutions that cannot independently provide every specialist function.

From an education-law perspective, RBSG's principal advantage is that it connects abstract norms with organizational evidence. The right to safety becomes reviewable through risk assessments, staff competence, reporting channels, response time and corrective follow-up. The right to inclusion can be examined through accessibility, accommodation, budget allocation, teaching methods and student feedback. Participation can be examined through opportunities to be heard and through evidence showing how input influenced decisions. Remedy can be assessed through protection, continuity of learning and completion of agreed support. Evidence does not reduce rights to managerial indicators; rather, it makes institutional compliance more transparent and legally contestable when documents and experience diverge.

The model has four principal limitations. First, RBSG is a normative construction and has not been empirically validated across educational levels or regions; no causal claim is made that RBSG improves safety, inclusion, participation or learning continuity. Second, institutional capacity varies, so the feasibility and administrative burden of proposed evidence requirements and thresholds may differ substantially. Third, some violations necessarily require external child-protection, health, administrative or judicial intervention. Fourth, rights monitoring can itself create privacy and security risks. The proposed outcomes - stronger perceived safety, inclusion, trust in complaint mechanisms, continuity of learning and demonstrable corrective follow-up - should therefore be treated as testable propositions. Future research should use multi-site designs to validate indicators, assess reliability and burden, compare implementation contexts, and test whether observed outcomes actually change after RBSG-informed governance practices are introduced.

CONCLUSION

First, Indonesian education law supports an integrated rights-and-governance reading: students' rights encompass meaningful access and continuity, substantive equality and non-discrimination, physical, psychological, sociocultural and digital safety, accessibility and reasonable accommodation, participation, and accessible complaint and remedy. The 2025 Management Standards and the 2026 Safe and Comfortable School Culture framework reinforce the organizational responsibility to incorporate those rights into recurring management processes.

Second, educational management functions as a legal implementation mechanism because planning, organization, implementation, monitoring, complaint handling and evaluation determine whether rights can be exercised in practice. The legal inquiry therefore extends beyond whether a school possesses formal policies to whether it assigns responsibility, resources procedures, preserves fair process, produces lawful evidence and corrects recurring failures.

Third, the proposed RBSG model organizes that implementation challenge through six dimensions: legal alignment and rights mapping; inclusive planning and equitable resource allocation; a safe and dignified learning environment; meaningful student participation; accessible complaint, response and remedy; and rights-based monitoring, evaluation and accountability. The model distinguishes binding legal duties from author-proposed management tools and treats student

protection and educator procedural certainty as mutually reinforcing requirements of lawful governance.

As a practical implication, education providers can use the expanded matrix as a baseline audit to identify legal duties, process owners, documentary evidence and review triggers, while local governments can support shared training, referral and supervision capacity. Because RBSG remains a normative construction, these recommendations should be implemented proportionately and evaluated rather than presented as proven outcomes. Future multi-site research should test feasibility, administrative burden, indicator validity, inter-rater reliability and effects on student and educator experience before RBSG is advanced as a validated governance instrument.

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