

ACT OF THE REPUBLIC OF INDONESIA

NUMBER 20, YEAR 2003

ON

NATIONAL EDUCATION SYSTEM*

* *The English version of the Act as published originally in Bahasa Indonesia in the National Gazette Number 78 Year 2003. The original text of this Act in Bahasa Indonesia is the authentic version.*

FOREWORD

The Government of Indonesia made political commitments at the World Education Forum (April 2000), along with other Governments and organizations, for achieving basic education for all. In this broader context, national level reflections were engaged for developing a new vision of education, as part of the reform in Indonesia, which emphasize the implementation of the principles of democracy, autonomy, decentralization, and public accountability. The reforms in education system have given prominence to enhance its performance in the framework of even distribution of educational opportunities. This reform process has fundamental impact on national education system and its mission to meet various challenges in the present day world.

Guided by the mission of education and educational strategies, the Republic of Indonesia enacted a new Law on National Education System in July 2003, resulting from national wide consultation. The Law has its foundations in the 1945 Constitution of Indonesia, Article 31, Section (1), of which states that each and every citizen shall have the fundamental right to education. The Law creates a legal framework for the major educational goal, policies and plans. The key targets include the expansion and equity, the improvement of quality and relevance, and the implementation of autonomy in higher education. The Law seeks to open access to education at all levels and all forms-formal, non-formal, as well as informal-for all the citizens of Indonesia. Its main thrust is to make education relevant to societal needs; to develop further community-based education; and to enhance participation by community in supporting basic education. It provides rights and obligations of citizens, parents, community, and Government.

An outstanding feature of the Law is the implementation of compulsory basic education, free of cost, for all Indonesian citizens. Henceforth, "Every seven to fifteen years old citizen shall have the right to receive basic education", as the Law provides. This is a major step towards creating a critical mass in the area of education for national development, as recognized in the National Plan of Action:

Indonesia's Education For All (2002). Its realization has become a primary responsibility for all education providers. This indeed deserves to be highlighted.

In adopting the new legislation, the Government of Indonesia has been fully conscious of the need for creating equality of opportunity in education and to ensure that basic education is made available to all, including those belonging to economically disadvantaged or socially marginalized groups, and those living in remote areas. To that end, the Law reflects certain fundamental principles, notably universal access to basic education without gender bias, non-discrimination, equality of opportunity, and equity in education. National experience shows that the expansion of equity and equality of educational opportunities has not gone hand in hand with the quality improvement. The Law aims at making a good quality education available to all. Its basic purpose is to develop a national educational system to achieve the Education for All goals, to create opportunities for lifelong learning, etc. in today's knowledge society.

The Law sets forth aims and functions of education, and national standards and the principles of the education system. It applies to all educational institutions that exist or may be created in the Republic of Indonesia. Its underlying philosophy is that education is a national movement in order that different stakeholders participate in the development of education as a life-long process. As such, the Law recognizes active partnership with local government and other local authorities in the process of education decentralization.

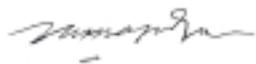
One of the main purposes of the Law is to inculcate in young minds the respect for human rights, for cultural pluralism and learning to live together, promote morals and character building as well as unity in diversity (*Bhinneka Tunggal Eka*) in the spirit of brotherhood and solidarity.

The Government recognizes the importance of education as an investment in human capital formation that lays the foundation for future economic growth and development in Indonesia. In that spirit, the Law provides, in compliance with constitutional amendment of 2002 that 20 percent national budget shall be allocated

for education. The Government has thus taken a major decision. Keeping in mind that due to the economic crisis, the resources available for the implementation of universal basic education are limited, the role of the community and parents for the completion of 9-year basic education program is becoming critically important. However, financing of basic education for all shall be primarily the responsibility of the Government.

The Government of Indonesia has immensely benefited from the technical assistance provided by UNESCO for the elaboration of the new Law. It has, thus, been possible to incorporate into the national legislation fundamental principles and norms in the field of the right to education, promoted by UNESCO and United Nation system.

The Ministry of National Education has planned and is carrying out a series of socialization and awareness-raising campaigns throughout the country so that the Law is made widely known. The tripartite government-community-parent cooperation for implementing the new Law needs to be strengthened. Giving shape to the principle of equity as well as empowering role of education for social development is a challenging task in the implementation process.



A. Malik Fadjar
Minister of National Education
Republic of Indonesia

ACT OF THE REPUBLIC OF INDONESIA
NUMBER 20, YEAR 2003
ON
NATIONAL EDUCATION SYSTEM
WITH THE ONE AND ONLY GOD'S MERCY
PRESIDENT OF THE REPUBLIC OF INDONESIA

Whereas:

- a. The Preamble of the 1945 Constitution has mandated that the Government of the Republic of Indonesia protect all her citizens and territorial integrity and promote public welfare, enhance the intellectual life of the whole nation, and take part in world peace keeping, based on independence, enduring peacefulness, and social justice.
- b. The 1945 Constitution has mandated that the Government organize and run one national education system, based on legal framework, strengthen the people's faith and piety to God the Almighty and their moral character as a means for enhancing the intellectual capacity of the nation.
- c. A national education system should ensure equal opportunity, improvement of quality and relevance and efficiency in management to meet various challenges in the wake of changes of local, national and global lives; therefore it requires a well-planned, well-directed, and sustainable education reform.
- d. Act Number 2 Year 1989 on the National Education System is no longer appropriate and it needs to be changed and adjusted in order to implement the principles of the democratization of education.
- e. In view of a, b, c above, it has become necessary that the Law of National Education be enacted.

In consideration of:

Article 20, Article 21, Article 28 C verse (1), Article 31, and Article 32 of the 1945 Constitution.

**HOUSE OF PEOPLE'S REPRESENTATIVES
OF THE REPUBLIC OF INDONESIA
AND
PRESIDENT OF THE REPUBLIC OF INDONESIA
ENACT AND PROCLAIM:
ACT ON NATIONAL EDUCATION SYSTEM
CHAPTER I
GENERAL PROVISIONS**

Article 1

In this Law, unless otherwise provided:

1. Education means conscious and well-planned effort in creating a learning environment and learning process so that learners will be able to develop their full potential for acquiring spiritual and religious strengths, develop self-control, personality, intelligence, morals and noble character and skills that one needs for him/herself, for the community, for the nation, and for the State.
2. National education means education based on *Pancasila* and the 1945 Constitution, and is rooted in the religious values, national cultures of Indonesia, and one that is responsive to the needs of the ever-changing era.
3. National education system means the overall components of education, which are interrelated in an integrated way in the pursuit of national education objectives.
4. Learners mean members of any community wishing to develop their potential through a learning process, available in a particular stream, level and type of education.
5. Educational personnel mean members of an education community devoted to education and are appointed to participate in the provision of education.
6. Educators mean teaching staff who have the qualification to be teachers, lecturers, counselors, learning guides (*pamong belajar*), senior instructors (*widyais -wara*), tutors, instructors, facilitators, and other titles in accordance with their specialization, and who participate in the provision of education.
7. Educational streaming means a vehicle for learners to develop their own potential in an education process in line with the pre-determined educational objectives.

8. Levels of education mean the stages in education, which are determined by learners' progress, objectives to be achieved, and the capacity to be developed.
9. Types of education mean the clusters in education based on special features of the educational objectives of an educational unit.
10. A unit of education means unit of educational services providing formal, non-formal, and informal education at every level and type of education.
11. Formal education means an educational stream, which is structured and has levels, encompassing basic education, secondary education, and higher education.
12. Non-formal education means education outside formal education, which can be implemented structurally, or in several levels.
13. Informal education means family education and education in surroundings.
14. Early childhood education means educational efforts since birth to six years of age by giving stimulus for children's physical and emotional growth and development to prepare them for further education.
15. Distance education means education provided in a situation in which learners are separated from their educators, and the teaching-learning processes are conducted by means of the utilization of information and communication technologies and other media.
16. Community-based education means the provision of education based on the uniqueness of religion, social, cultural, aspirations and potential of society for the realization of education from, by, and for the community.
17. National educational standards mean the minimal criteria about the education system in the whole jurisdiction of the Republic of Indonesia.
18. Compulsory education is a minimal educational programme, which shall be attended by all Indonesian citizens fully supported by the Central Government and local governments.
19. Curriculum means a set of plans and regulations about the aims, content and material of lessons and the method employed as the guidelines for the implementation of learning activities to achieve given education objectives.
20. Learning means the process of interaction between learners and educators and learning resources in a particular learning environment.
21. Evaluation means a process of controlling, ensuring, and determining educa-

tional quality in all components of education in each stream, level, and type of education as a form of responsibility of education provision.

22. Accreditation means assessment of the feasibility of an education unit and programme based on pre-set criteria.
23. Education resources mean anything utilized in the provision of education, including educational personnel, communities, funds, facilities and equipment.
24. Board of Education means an independent institution consisting of various components of an education community devoted to education.
25. School/*Madrasah* Committee means an independent institution consisting of parents/children's guardians, school communities, and community figures devoted to education.
26. Citizens mean Indonesian citizens, either residing in the territory of the Republic of Indonesia or outside the territory of the Republic of Indonesia.
27. A community means a group of Indonesian people who are not part of the Government and who have concerns for and who participate in educational areas.
28. Government means the Central Government.
29. Local Governments mean the Provincial, District, or City Government.
30. Minister means the Minister who is responsible for national education.

CHAPTER II

BASIS, FUNCTION AND AIMS

Article 2

The National Education is based on *Pancasila* and the 1945 Constitution of the Republic of Indonesia.

Article 3

The National Education functions to develop the capability, character, and civilization of the nation for enhancing its intellectual capacity, and is aimed at developing learners' potentials so that they become persons imbued with human values who are faithful and pious to one and only God; who possess morals and noble character; who are healthy, knowledgeable, competent, creative, independent; and as citizens, are democratic and responsible.

CHAPTER III PRINCIPLES OF EDUCATION PROVISION

Article 4

- (1) Education is conducted democratically, equally and non-discriminatorily based on human rights, religious values, cultural values, and national pluralism.
- (2) Education is conducted as a systemic unit with an open system and multi-meanings.
- (3) Education is conducted as a life-long process of inculcating cultural values and for the empowerment of learners.
- (4) Education is conducted based on the principles of modeling, motivation and creativity in the process of learning.
- (5) Education is conducted by developing culture for reading and writing and, arithmetic, for all members of the community.
- (6) Education is conducted by empowering all components of the community through their participation in the implementation and quality control of the education services.

CHAPTER IV RIGHTS AND OBLIGATIONS OF CITIZENS, PARENTS, COMMUNITY, AND GOVERNMENT

Part One

Rights and Obligations of Citizens

Article 5

- (1) Every citizen has equal rights to receive a good quality education.
- (2) Citizens with physical, emotional, mental, intellectual, and/or social deficiencies shall have the right to receive special education.
- (3) Citizens in the remote or less-developed areas, and isolated areas have the right to receive education with special services.
- (4) Citizens who are proven intelligent and especially gifted have the right to receive special education.

- (5) Every citizen shall have the right to enhance his/her educational ability in the process of life-long education.

Article 6

- (1) Every seven to fifteen years old citizen shall have the right to receive basic education.
- (2) Every citizen shall have the obligation to keep the education process sustainable.

Part Two

Rights and Obligations of Parents

Article 7

- (1) Parents shall have the right to take part in the choice of the unit of education for their children and to obtain information concerning circumstance of their children's education.
- (2) Parents of the children entitled to receive compulsory education shall have the obligation to ensure basic education for their children.

Part Three

Rights and Obligations of Community

Article 8

The community has the right to participate in the planning, implementation and monitoring, and evaluation of the education programmes.

Article 9

The community has to support by supplying resources needed in the implementation of education.

Part Four**Rights and Obligations of the Government and Local Governments****Article 10**

The Government and local governments have the right to guide, supervise, assist, and monitor the implementation of education in accordance with the regulations, which are in force.

Article 11

- (1) The Government and local governments have to provide services and facilities, and ensure the implementation of quality education for every citizen without discrimination.
- (2) The Government and local governments have to ensure the availability of funds for the implementation of education for every Indonesian citizen from aged seven to fifteen.

**CHAPTER V
LEARNERS****Article 12**

- (1) Every learner in an educational unit is entitled to:
 - a. receive religious education in accordance with his/her religion, imparted by an educator who has the same religion;
 - b. obtain education services in accordance with his/her talent, interest, and ability;
 - c. receive a scholarship in recognition of meritorious performance if his/her parents are not able to bear education expenses;
 - d. receive educational grant if his/her parents are not able to bear education expenses;
 - e. shift from one to another stream and unit of education at the same level;
 - f. complete an education programme based on individuals' rate of learning and not exceeding the time determined.

- (2) Every learner shall be responsible for:
- a. abiding by educational norms to ensure the process and success of education;
 - b. taking part in the implementation of education by paying prescribed fee, except for learners who are exempted from the said obligation in accordance with the regulations in force.
- (3) Foreign citizens can become learner in an educational unit organized in the territory of the Republic of Indonesia.
- (4) The implementation of the provisions for rights and obligations of learners, set forth in verse (1), verse (2), and verse (3), shall be stipulated by the Government Regulation.

CHAPTER VI

STREAMS, LEVELS, AND TYPES OF EDUCATION

Part One

General

Article 13

- (1) Educational streaming consists of formal education, non-formal education, and informal education, which can complement and enrich each other.
- (2) Education set forth in verse (1) can be provided with an open system through face-to-face and/or distance learning.

Article 14

Levels of education consist of basic education, secondary education, and higher education.

Article 15

Types of education include general education, vocational education, academic education, professional education, vocational and technical education, religious education, and special education.

Article 16

The streams, levels, and types of education can take the form of an educational unit organized by the Government, local governments, and/or community.

Part Two

Basic Education

Article 17

- (1) Basic education is the foundation for secondary education.
- (2) Basic education takes the form of primary schools, that is, *Sekolah Dasar* (SD) as well as *Madrasah Ibtidaiyah* (MI), or other schools of the same level, and junior secondary schools, that is *Sekolah Menengah Pertama* (SMP) as well as *Madrasah Tsanawiyah* (MTs), or other schools of the same level.
- (3) The implementation of the provisions for basic education, set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

Part Three

Secondary Education

Article 18

- (1) Secondary education is the continuation of basic education.
- (2) Secondary education comprises general secondary education and vocational secondary education.
- (3) Secondary education takes the form of senior general secondary schools, that is, *Sekolah Menengah Atas* (SMA) as well as *Madrasah Aliyah* (MA), and senior vocational secondary schools, that is, *Sekolah Menengah Kejuruan* (SMK), as well as *Madrasah Aliyah Kejuruan* (MAK), or other schools of the same level.
- (4) The implementation of the provisions of secondary education, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

Part Four

Higher Education

Article 19

- (1) Higher education is a level of education after secondary education consisting of diploma, bachelor (*sarjana*), masters and specialized postgraduate programmes, and doctorate programmes imparted by a higher education institution.
- (2) Higher education shall be provided in a flexible system.

Article 20

- (1) Higher education institutions can take the form of academy, polytechnic, college for specialization (*sekolah tinggi*), institute, or university.
- (2) Higher education institutions shall provide education, research, and community services.
- (3) Higher education institutions can run academic, professional, and/or vocational and technical programmes.
- (4) The implementation of the provisions for higher education institutions, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

Article 21

- (1) Higher education institutions, which meet the requirements prescribed, and possess the competence to provide a particular academic programme can confer academic, professional, or technical and vocational degrees in accordance with the education programmes that are provided.
- (2) An individual, organization, or education provider that is not a higher education institution is prohibited from conferring academic, professional, or vocational and technical degrees.
- (3) Academic, professional, or vocational and technical degrees can be made use of by only graduates of higher education institutions, which can confer such degrees rightfully.
- (4) The title based on academic, professional, or vocational and technical degrees of higher education institutions, is only acceptable in the form and abbreviation as received from the concerned institutions.

- (5) Education providers that do not meet the requirements prescribed as set forth in verse (1) or education providers that are not higher education institutions but which act as set forth in verse (2), shall be subject to administrative sanction through the termination of the education providers concerned.
- (6) Academic, professional, or vocational and technical degrees conferred by education providers that do not meet the requirements set forth in verse (1) or education providers that are not higher education institutions, as set forth in verse (2) are declared illegal.
- (7) The implementation of the provisions for conferring academic, professional, and vocational and technical degrees, set forth in verse (1), verse (2), verse (3), verse (4), verse (5), and verse (6), shall be further stipulated by the Government Regulation.

Article 22

Universities, institutes, and higher education institutions, which conduct doctorate programmes, are entitled to confer a suitable degree of honorary doctor (*Doctor Honoris Causa*) on an individual who deserves a high appreciation with regard to his/her extraordinary contribution to science, technology, community, religion, culture, or arts.

Article 23

- (1) In universities, institutes, and higher education institutions, a professor shall be appointed in conformity with the regulations, which are in force.
- (2) The title of professor (*guru besar*) is used only in the period during which the holder is in the designated functional position at a higher education institution.

Article 24

- (1) In the implementation of education and development of science, a higher education institution is entitled to intellectual pursuits freely and to academic freedom, and scientific autonomy.
- (2) Higher education institutions are entitled to autonomy to manage their institutions as a center of higher education, scientific research, and services to the community.

- (3) Higher education institutions are entitled to raise funds from the community, and their management is based on the principles of public accountability.
- (4) The implementation of the provisions for higher education institutions, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

Article 25

- (1) Every higher education institution sets the requirements for awarding academic, professional, or technical and vocational degrees.
- (2) An academic, professional, or technical and vocational degree awarded shall be revoked, if his/her thesis/dissertation is a plagiarism.
- (3) The implementation of the provisions for the requirements to hold and to revoke academic, professional, or vocational and technical degrees, set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

Part Five

Non-formal Education

Article 26

- (1) Non-formal education is provided for community members who need education services which functions as a replacement, complement, and/or supplement to formal education in the frame of supporting life-long education.
- (2) Non-formal education is aimed at developing learners' potentials with emphasis on the acquisition of knowledge and functional skills and developing personality and professional attitudes.
- (3) Non-formal education comprises life-skills education, early childhood education, youth education, women empowerment education, literacy education, vocational training and internship, equivalency programme, and other kinds of education aimed at developing learners' ability.
- (4) A non-formal education unit consists of training centers and colleges, study groups, community learning centers, *majelis taklim*, and other education units of the similar type.
- (5) Training centers and colleges are provided for community members who are in need of knowledge, competencies, life-skills, and attitudes to develop their

personality, professionalism, working ethics, entrepreneurship, and/or for further education.

- (6) The outcomes of the non-formal education programmes shall be recognized as being equal to the outcomes of formal education programmes after undergoing a process of assessment by an agency appointed by the Government or the local governments based on national education standards.
- (7) The implementation of the provisions for non-formal education, set forth in verse (1), verse (2), verse (3), verse (4), verse (5), and verse (6), shall be further stipulated by the Government Regulation.

Part Six

Informal Education

Article 27

- (1) Informal education can be in the form of self-learning, provided by families and surroundings.
- (2) The outcomes of informal education as mentioned in verse (1) shall be recognized as being equal to the outcomes of formal education and non-formal education after passing successfully in an assessment according to national education standards.
- (3) The implementation of the provisions for informal education, set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

Part Seven

Early Childhood Education

Article 28

- (1) Early childhood education is organized prior to basic education.
- (2) Early childhood education is provided through formal education, non-formal education, and/or informal education.
- (3) Early childhood education provided through formal education can take the form of *taman kanak-kanak* (TK) that is, kindergarten, *raudatul athfal* (RA), or other forms of formal education of the similar type.

- (4) Early childhood education provided through non-formal education can take the form of *kelompok bermain* (KB) that is, play groups, *taman penitipan anak* (TPA), that is, child care centers, or other forms of non-formal education of the similar type.
- (5) Early childhood education provided through informal education can take the form of family education or education in the surroundings.
- (6) The implementation of the provisions for early childhood education, set forth in verse (1), verse (2), verse (3), and verse (4), shall be further stipulated by the Government Regulation.

Part Eight

In-Service Education

Article 29

- (1) In-service education is professional education provided by concerned government departments or non-departmental government institutions.
- (2) In-service education functions to enhance the ability and skills in carrying out duties for government officials and for official candidates in concerned government departments or non-departmental government institutions.
- (3) In-service education is provided through formal education and non-formal education.
- (4) The implementation of the provisions for in-service education, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

Part Nine

Religious Education

Article 30

- (1) Religious education is provided by Government and/or by any group of people belonging to the same religion in accordance with the law in force.
- (2) Religious education has the function to prepare learners to become community members who understand and practice religious values and/or acquire expertise in religious studies.

- (3) Religious education can be conducted through formal education, non-formal education, and informal education.
- (4) Religious education can take the form of *diniyah* education, *pesantren*, *pasra - man*, *pabhaja samanera*, and other education forms of the similar type.
- (5) The implementation of the provisions for religious education, set forth in verse (1), verse (2), verse (3), and verse (4), shall be further stipulated by the Government Regulation.

Part Ten

Distance Education

Article 31

- (1) Distance education can be organized in all streams, levels, and types of education.
- (2) Distance education has the function to provide educational services to any group of people in the community who cannot attend 'face-to-face' courses or regular classes.
- (3) Distance education is organized in various forms, modes, and coverage supported by learning facilities and services, and an assessment system which ensures that the quality of graduates is in accordance with national education standards.
- (4) The implementation of the provisions for distance education, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

Part Eleven

Special Education and Education with Special Services

Article 32

- (1) Special education is provided for learners who have difficulties in following the learning process because of physical, emotional, mental, and social deficiencies, and also for those with proven intelligence and especially gifted.
- (2) Education with special services is provided for learners in the remote and less-developed areas, isolated areas, and/or for learners who are victims of natu-

ral disasters, suffer from social deficiencies, and those who are economically disadvantaged.

- (3) Implementation of provisions for special education and education with special services, set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

CHAPTER VII MEDIUM OF INSTRUCTION

Article 33

- (1) *Bahasa Indonesia* as the language of the nation shall be the medium of instruction in the national education.
- (2) Local language can be used as a medium of instruction in the early stage of education, if needed in the delivery of particular knowledge and/or skills.
- (3) A foreign language can be used as a medium of instruction to support the competency of the learners.

CHAPTER VIII COMPULSORY EDUCATION

Article 34

- (1) Every citizen can enroll in a compulsory basic education programme at the age of six.
- (2) The Government and local governments guarantee the implementation of compulsory education at least for basic education free of cost.
- (3) Compulsory education is the State's responsibility, which is provided by the Government, the local governments, and the community.
- (4) The implementation of the provisions for compulsory education, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

CHAPTER IX NATIONAL EDUCATION STANDARDS

Article 35

- (1) National education standards consist of the standard of the content, process, graduate outcomes, educational personnel, facilities and equipment, management, funding, and educational assessment, which should be improved systematically and regularly.
- (2) National educational standards are used as a guideline for the development of curriculum, development of educational personnel, provisions of facilities and equipment, management, and funding.
- (3) The development, monitoring, and reporting on the achievement of the national education standards are organized by a quality assurance body.
- (4) The implementation of the provisions for national education standards, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

CHAPTER X CURRICULUM

Article 36

- (1) The development of curriculum is based on national education standards for the pursuit of national education goals.
- (2) The curriculum at all educational levels and types of education is developed according to principles of diversifications, adjusted to the units of education, local and learners potential.
- (3) The curriculum development is organized in accordance with the level of education within the framework of the national unity of the Republic of Indonesia and takes the following into account:
 - a. the enhancement of faith and piety;
 - b. the enhancement of noble character;
 - c. the enhancement of learners' potential, intellect, and interests;
 - d. the diversity of the region's potential and environment;

- e. demand for regional and national development;
- f. requirement of labour market;
- g. development in science, technology, and arts;
- h. religion;
- i. the dynamic of global development; and
- j. the national unity and nation's values.

(4) The implementation of the provisions for curriculum development, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

Article 37

(1) The curriculum for basic and secondary education must include:

- a. religious education;
- b. civic education;
- c. language;
- d. mathematics;
- e. science;
- f. social sciences;
- g. art and culture;
- h. physical education and sports;
- i. vocational skills; and
- j. local content.

(2) The curriculum of higher education must include:

- a. religious education;
- b. civic education;
- c. language.

(3) The implementation of the provisions for curriculum content, set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

Article 38

(1) The Government determines the curriculum framework and structure for basic and secondary education.

(2) The curriculum for basic and secondary education shall be developed in accordance with its relevance by each educational cluster or unit and school/*madra* -

sah committee under the coordination and supervision of the Ministry of National Education or the Ministry of Religious Affairs at the district/city levels for basic education, and at the provincial level for secondary education.

- (3) The curriculum of higher education shall be developed by each higher education institution concerned, taking into consideration national standards of education for each programme of study.
- (4) The basic frameworks and curriculum structure of higher education institution shall be determined by the higher education institution concerned, taking into consideration national standards of education for each programme of study.

CHAPTER XI

EDUCATORS AND EDUCATIONAL PERSONNEL

Article 39

- (1) Educational personnel have the duty to carry out administration, organization, development, monitoring, and technical service to support education processes in a unit of education.
- (2) Educators are professional, who have the duty to plan and implement learning processes, to assess education outcomes, to carry out counseling and training, and to conduct research and community service, especially for higher education institution personnel.

Article 40

- (1) Educators and education personnel are entitled to:
 - a. have respectable professional salary and adequate social welfare provision;
 - b. obtain recognition based on their duties and performance;
 - c. have opportunity to develop their career in accordance with the requirements for quality improvement;
 - d. have legal protection in carrying out their duties and the rights to intellectual property;
 - e. have access to educational facilities, equipment and resources to enhance the effectiveness and efficiency of their work.

- (2) Educators and educational personnel have the responsibility to:
- a. create meaningful, joyful, creative, dynamic, and mutually interactive education environment;
 - b. demonstrate professional commitment to the improvement of the quality of education;
 - c. be the role model and uphold the reputation of their institution, profession, and position in accordance with the trust deposited in them.

Article 41

- (1) Educators and educational personnel can work across autonomous regions.
- (2) The recruitment, placement, and deployment of educational personnel shall be regulated, based on the demand of a formal education unit.
- (3) The Government and local governments shall facilitate the work of units of education in getting educators and education personnel to ensure the implementation of good quality education programme.
- (4) The implementation of the provisions for educators and education personnel, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

Article 42

- (1) An educator has to have minimum qualifications and be certified in accordance with his/her level of teaching responsibility; possess healthy body and mind; and acquire abilities to work for achieving the goals of national education.
- (2) Educators for formal education, for early childhood education, basic education, secondary education, and higher education should be graduates from accredited higher education institutions.
- (3) Criteria for qualifications of educators, set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

Article 43

- (1) Promotion of and recognition for educators and educational personnel are organized, taking into consideration educational background, experience, abilities,

and performance in the field of education.

- (2) Programme for certification of educators is organized by the higher education institutions which are authorized to provide accredited programmes.
- (3) Criteria for promotion, recognition, and certification set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

Article 44

- (1) The Government and local governments shall supervise and develop educational personnel in education units run by the Government and local governments.
- (2) The community providing education shall supervise and develop educational personnel in education units under its control.
- (3) The Government and local governments shall render assistance in the supervision and development of educational personnel in formal education units run by the community.

CHAPTER XII EDUCATIONAL FACILITIES AND EQUIPMENT

Article 45

- (1) Every formal and non-formal education unit shall provide educational facilities and equipment required in accordance with pedagogical criteria for learners' development and growth for physical, intellectual, social, emotional and spiritual abilities.
- (2) The criteria for providing educational facilities and equipment at all education units set forth in verse (1), shall be further stipulated by the Government Regulation.

CHAPTER XIII

FINANCING OF EDUCATION

Part One

Responsibility for Financing

Article 46

- (1) Financing of education shall be the shared responsibility of the Government, local governments, and community.
- (2) The Government and local governments shall mobilize the funding as stipulated in the 1945 Constitution of the Republic of Indonesia, Article 31, verse (4).
- (3) The implementation of the provisions for responsibility for financing of education, set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

Part Two

Sources of Education Funds

Article 47

- (1) The source of education funds shall be determined, based on the principles of equity, adequacy, and sustainability.
- (2) The Government, local governments, and community shall mobilize the educational resources available in accordance with regulations which are in force.
- (3) The implementation of the provisions for sources of education funds, set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

Part Three

Educational Finance Management

Article 48

- (1) The management of educational finance is based on the principles of equity, efficiency, transparency, and accountability.

- (2) The implementation of the provision for educational finance management, set forth in verse (1), shall be further stipulated by the Government Regulation.

Part Four

Allocation of Funds

Article 49

- (1) Education funds, excluding salary of educators and service education expenditure, are allocated at a minimum of 20 per cent of the National Budget (APBN) and a minimum of 20 per cent of the Regional Budget (APBD).
- (2) Salary of teachers and lecturers appointed by the Government are allocated by the National Budget (APBN).
- (3) Education funds provided by the Government and local governments to units of education shall be in the form of a grant in accordance with the regulations, which are in force.
- (4) Education funds provided by the Government to local governments shall be in the form of a grant in accordance with the regulations, which are in force.
- (5) Guidelines of the allocation of education funds, set forth in verse (1), verse (2), verse (3), and verse (4), shall be further stipulated by the Government Regulation.

CHAPTER XIV EDUCATION MANAGEMENT

Part One

General

Article 50

- (1) The management of the national education system is the responsibility of the Minister.
- (2) The Government determines national policies and national standards for assuring the quality of national education.
- (3) The Government and local governments organize at least a unit of education

at all levels of education, to be developed further as a unit having international standards of education.

- (4) The Provincial governments organize the implementation of education, the development of educational personnel, and facility for education implementation across regions/cities for basic education and secondary education.
- (5) The District/City governments organize basic education and secondary education, and a unit of education which gives prominence to the local-content based education.
- (6) Higher education institutions can determine policy and shall have the autonomy in managing education units in their institutions.
- (7) The implementation of the provisions for education management, set forth in verse (1), verse (2), verse (3), verse (4), verse (5), and verse (6), shall be further stipulated by the Government Regulation.

Article 51

- (1) The management of early childhood, basic, and secondary education units shall be based on a minimum-educational service standard by applying principles of school/*Madrasah*-based management.
- (2) The management of a higher education unit is based on the principles of autonomy, public accountability, quality assurance, and transparent evaluation.
- (3) The implementation of the provisions for education units, set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

Article 52

- (1) The management of a non-formal education unit shall be carried out by the Government, local governments, and/or community.
- (2) The implementation of the provisions for non-formal education management, set forth in verse (1), shall be further stipulated by the Government Regulation.

Part Two

Legal Entities of Education

Article 53

- (1) The formal education unit and/or formal education provider organized by the Government or community shall have the form of the legal entities of education.
- (2) The legal entities of education set forth in verse (1) shall function to provide educational services to learners.
- (3) The legal entities of education set forth in verse (1) shall be based on the principle of non-profit organizations and can manage funds needed for developing an education unit.
- (4) The regulations of legal entities of education shall be further stipulated by a law, to be enacted by the Government.

CHAPTER XV

COMMUNITY PARTICIPATION IN EDUCATION

Part One

General

Article 54

- (1) Community participation in education consists of individuals, groups, families, professional associations, private companies, and community organizations in the implementation and quality control of educational services.
- (2) Community can participate as the source, executor and consumer of education outcomes.
- (3) The implementation of the provisions for community participation in education, set forth in verse (1) and verse (2), shall be further stipulated by the Government Regulation.

Part Two

Community-Based Education

Article 55

- (1) Community shall have the rights to provide community-based education at formal and non-formal education in accordance with the specific religion, social norms, and culture for the benefit of the community.
- (2) Community-based education providers shall design and implement curriculum, evaluate and manage education programmes and funds with reference to national education standards.
- (3) The funds for the provision of community-based education can be from the provider, community, Government, local governments, and/or other sources, which are not in violation of the regulations that are in force.
- (4) Community-based educational institutions shall receive technical assistance, subsidies, and other form of aids, which are fair and equitable from the Government and/or from local governments.
- (5) The implementation of the provisions for community-based education, set forth in verse (1), verse (2), verse (3), and verse (4), shall be further stipulated by the Government Regulation.

Part Three

Board of Education and School/Madrasah Committee

Article 56

- (1) Community shall take part in the quality improvement of educational services, which include planning, monitoring, and evaluation of educational programmes through the Board of Education and the School/*Madrasah* Committee.
- (2) The Board of Education, as an independent body, is established and participates in the quality improvement of education by providing advices, directions and supports for personnel, facilities and equipment, and monitoring at national, provincial, and district/city levels, without hierarchical relationship.
- (3) The School Committee, as an independent body, shall be established to provide advices, directions and supports for personnel, facilities and equipment, and monitoring of a unit of education.

- (4) The establishment of the provisions for Board of Education and the School/*Madrasah* Committee, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

CHAPTER XVI

EVALUATION, ACCREDITATION, AND CERTIFICATION

Part One

Evaluation

Article 57

- (1) Evaluation shall be undertaken to monitor and control the quality of education nationally, as a form of public accountability of providers of education in relation to stakeholders.
- (2) Evaluation shall be made of learners' achievement, institutions, and education programmes in formal education and non-formal education at all levels, units, and types of education.

Article 58

- (1) Evaluation of learners' achievement conducted by educators shall be made to monitor the process, progress, and to improve learners' learning outcomes continually.
- (2) Evaluation of learners' achievement, of institutions, and of educational programmes shall be conducted by independent bodies regularly, comprehensively, transparently, and systematically in order to assess the achievements of national education standards.

Article 59

- (1) The Government and local governments shall carry out an evaluation of all education providers, units, streams, levels, and types of education.
- (2) Community and/or professional organisations shall have the right to set up an independent evaluation body to conduct an evaluation, set forth in Article 58.
- (3) The implementation of the provisions for evaluation, set forth in verse (1) and verse (2), shall further be stipulated by the Government Regulation.

Part Two

Accreditation

Article 60

- (1) Accreditation shall be undertaken to determine the feasibility of programmes and education units for formal education and non-formal education at every level and type of education.
- (2) Accreditation of a programme and education unit shall be the responsibility of the Government and/or independent authorities as a form of public accountability.
- (3) Accreditation shall be based on criteria, which are transparent.
- (4) The implementation of the provisions for accreditation, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

Part Three

Certification

Article 61

- (1) Certification shall be in the form of diploma and certificate of competence.
- (2) Adiploma shall be awarded to a learner as recognition of the educational achievement and/or completion of a level of education after passing an examination conducted by an accredited unit of education.
- (3) A certificate of competence shall be awarded by education providers and training centers to learners, and to learners of community as trainees, as a recognition of the competence to do a particular job after passing a competency examination conducted by an accredited unit of education or a professional certification body.
- (4) The implementation of the provisions for certification, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

CHAPTER XVII
CRITERIA FOR THE ESTABLISHMENT OF AN EDUCATIONAL UNIT

Article 62

- (1) Every formal and non-formal education unit established has to have the Government or local governments' license.
- (2) The requirements for obtaining a license include educational contents, the number and qualification of the educators and educational personnel, educational facilities and equipment, educational funding, evaluation and certification systems, management and educational process.
- (3) The Government and local governments can give and revoke licenses enabling the establishment of an educational unit in accordance with the regulations, which are in force.
- (4) The implementation of the provisions for criteria for establishment of an educational unit, set forth in verse (1), verse (2), and verse (3), shall be further stipulated by the Government Regulation.

Article 63

An educational unit organized and carried out by the diplomatic mission of the Republic of Indonesia in a foreign country shall comply with this Law.

CHAPTER XVIII
PROVISION OF EDUCATION
BYAN INSTITUTION OF FOREIGN COUNTRY

Article 64

An educational unit organized by the diplomatic mission of a foreign country in the territory of the Republic of Indonesia for learners of foreign citizens shall be able to use the provisions applicable in the country concerned, with the consent of the Government of the Republic of Indonesia.

Article 65

- (1) An accredited or recognized foreign educational unit shall organize educational activities in the territory of the Republic of Indonesia complying with the regulations, which are in force.
- (2) Foreign education institutions of basic and secondary education levels shall provide religion and civic education to Indonesian learners.
- (3) The provision of foreign education programmes shall work together with the Indonesian education institutions in the territory of the Republic of Indonesia by involving the Indonesian organizers and educators.
- (4) Education activities using the educational system of a foreign country, carried out in the territory of the Republic of Indonesia, shall comply with the regulations, which are in force.
- (5) The implementation of the provisions for education by an institution of foreign country, set forth in verse (1), verse (2), verse (3), and verse (4), shall be further stipulated by the Government Regulation.

**CHAPTER XIX
SUPERVISION**

Article 66

- (1) The Government, local governments, Board of Education, and the School/*Madrasah* Committee shall supervise the education implementation at all levels and types of education within their respective jurisdiction.
- (2) The supervision set forth in verse (1) shall be carried out on basis of the principles of transparency and public accountability.
- (3) The implementation of the provisions for supervision, set forth in verse (1), shall be further stipulated by the Government Regulation.

CHAPTER XX LEGAL LIABILITIES

Article 67

- (1) Individuals, organizations or education providers which confer diplomas, certificates of competence, academic, professional, and/or vocational and technical/diploma/degrees without having the right to do so, shall be liable to imprisonment of up to ten years and/or to a maximum fine of Rp. 1,000,000,000.00 (one billion rupiahs).
- (2) Providers of higher education institution ordered to be closed as set forth in Article 21 verse (5), which however continue to operate, shall be liable to imprisonment of up to ten years and/or to a maximum fine of Rp. 1,000,000,000.00 (one billion rupiahs).
- (3) Education providers conferring a *guru besar* or title of professor, which is not in accordance with the regulations set forth in Article 23 verse (1), shall be liable to imprisonment of up to ten years and/or to a maximum fine of Rp. 1,000,000,000.00 (one billion rupiahs).
- (4) Providers of distance education that do not meet the requirements set forth in Article 31 verse (3) shall be liable to imprisonment of up to ten years and/or to a maximum fine of Rp. 1,000,000,000.00 (one billion rupiahs).

Article 68

- (1) Anyone assisting in conferring diplomas, certificates of competence, and academic, professional, and/or vocational and technical diplomas/degrees from a higher institution that does not meet the prescribed requirements, shall be liable to imprisonment of up to five years and/or to a maximum fine of Rp. 500,000,000.00 (five hundred million rupiahs).
- (2) Anyone using a diploma, a certificate of competence, and academic, professional, and/or vocational and technical diploma/degree obtained from a unit of education that does not meet the prescribed requirements or an educational institution that is not a higher education institution, shall be liable to imprisonment of up to five years and/or to a maximum fine of Rp. 500,000,000.00 (five hundred million rupiahs).

- (3) Anyone making use of an academic degree/title obtained from any higher education institution as set forth in Article 21 verse (4), by giving it different form or connotation, shall be liable to imprisonment of up to two years and/or to a maximum fine of Rp. 200,000,000.00 (two hundred million rupiahs).
- (4) Anyone using a degree of *guru besar* (professor) obtained from any higher education institution as set forth in Article 23 verse (1) and/or verse (2), by giving it different form or connotation, shall be liable to imprisonment of up to five years and/or to a maximum fine of Rp. 500,000,000.00 (five hundred million rupiahs).

Article 69

- (1) Anyone using a diploma, a certificate of competence, and academic, professional, and/or vocational and technical diploma/degree that is found to have been obtained fraudulently, shall be liable to imprisonment of up to five years and/or to a maximum fine of Rp. 500,000,000.00 (five hundred million rupiahs).
- (2) Anyone using intentionally a diploma or certificate of competence, in contravention of provisions set forth in Article 61 verse (2) and verse (3), that is found to have been obtained fraudulently, shall be liable to imprisonment of up to five years and/or to a maximum fine of Rp. 500,000,000.00 (five hundred million rupiahs).

Article 70

A graduate whose academic work for obtaining degree set forth in Article 25 verse (2) is found to be a plagiarism, shall be liable to imprisonment of up to two years and/or to a maximum fine of Rp. 200,000,000.00 (two hundred million rupiahs).

Article 71

Providers of education established without the Government or local governments license, as set forth in Article 62 verse (1), shall be liable to imprisonment of up to ten years and/or to a maximum fine of Rp. 1,000,000,000.00 (one billion rupiahs).

CHAPTER XXI TRANSITORY PROVISIONS

Article 72

Education providers and/or units of formal education which, at the time this Law comes into effect, are not legal entities, as stipulated in article 53, shall remain operational until such Law on legal entities of education is enacted.

Article 73

The Government and local governments shall provide, within two years from the day this Law comes into effect, the license to a unit of formal education.

Article 74

All regulations which have been made for the implementation of the provisions of Law Number 2 of the Year 1989 on National Education System (Official Gazette Year 1989 Number 6, Supplement Official Gazette Number 3390), existing at the time this Law comes into effect, shall remain applicable as long as they do not run counter to the provisions of this Law and have not been replaced.

CHAPTER XXII CLOSING PROVISIONS

Article 75

All regulations required for the implementation of this Act shall be completed no later than two years after this Act comes into force.

Article 76

At the time this Act comes into force, Act Number 48/Prp./1960 on Education Monitoring and Foreign Education (Official Gazette Year 1960 Number 155, Supplement Official Gazette Number 2103), and Law Number 2 of the Year 1989 on National Education System (Official Gazette Year 1989 Number 6, Supplement Gazette Number 3390) will become null and void.

Article 77

This Act shall come into effect on the date it is enacted.

In order to make this Act known to public, it will be published imperatively in the Official Gazette of the Republic of Indonesia.

Enacted in Jakarta

On the 8 of July, 2003

PRESIDENT OF THE REPUBLIC OF INDONESIA

MEGAWATI SOEKARNOPUTRI

Promulgated in Jakarta

On the 8 of July, 2003

STATE SECRETARY TO THE REPUBLIC OF INDONESIA

BAMBANG KESOWO

**SUPPLEMENT
NATIONAL GAZETTE
REPUBLIC OF INDONESIA**

**No. 4301 EDUCATION, National Education System, Citizen, Community,
Government, Local Governments.**

**(The Explanation to the Act on National Education System, National
Gazette of the Republic of Indonesia Number 78, 2003)**

**EXPLANATION TO
ACT OF THE REPUBLIC OF INDONESIA
NUMBER 20 YEAR 2003
ON
NATIONAL EDUCATION SYSTEM**

I. GENERAL

Education is essential for all human beings. It is an effort for realizing their potentials through learning and/or other education activities which are socially recognizable. The 1945 Constitution, Article 31, Verse (1) states that every Indonesian citizen shall have the right to education. Verse (3) also states that the Government is responsible for the provision of a single national education system. Such a system would enable individuals to become faithful and pious to God and to possess morals and noble character, such that augments intellectual capacity and promotes character building, that is stipulated by an Act. For this purpose, the nation as a whole shall engage in intellectual capacity and character building as one of the goals of the Republic of Indonesia.

The reform movements in Indonesia in general require the implementation of principles of democracy, decentralization, justice, as well as respect for human rights in the spirit, which characterizes both the nation and the State. In relation to education, these principles shall have fundamental impact on the contents, processes, and management of the national education. Furthermore, science and

technology have developed rapidly and have brought about new demands in all aspects of life, including a new system of education. These demands call for reforms in the education system, inter alia, curriculum reform, that is, diversification of curriculum in order to serve diverse students and local potentials; diversification of types of education conducted professionally, setting of graduated standards nationally and locally based on the needs; setting of minimum qualification for teachers to meet the professional requirements for teaching, setting the standard unit costs for each education unit based on the principles of equity and equality, the implementation of school-based management and autonomy of higher education, and provision of open and polyvalence education system. Reforms in education system also include the removal of discrimination in education organized by the Government and education organized by community, and the distinction between religious education and general education.

The reforms in education system are intended to renew vision, missions and a strategy of the national education. National education has a vision for bringing into being the education system as a strong and respected social institution to empower all citizens of Indonesia to become enlightened human beings who are able to keep abreast of the challenges of the time.

With such a vision of education, national education shall have missions as follows:

- 1. To strive for the broadening and even distribution of opportunities for quality education for all Indonesian citizens;*
- 2. To assist and facilitate the development of their potentials, from early childhood throughout life, in order to bring into being a learning society;*
- 3. To improve quality of educational inputs and process to optimize the formation of moral character building;*
- 4. To enhance the professionalism and accountability of educational institutions as centers for acculturation of sciences, skills, experiences, attitudes, and values based on national and global standards; and*
- 5. To empower community participation in the provision of education, based on the principles of autonomy in the context of the unity of the Republic of Indonesia.*

Based on the foregoing vision and missions of the national education system, national education shall function to develop ability and character as well as the dignity of the civilization of the nation in order to enhance its intellectual life. National education system aims at developing learners' potential so that they become faithful and pious to the Almighty God, possessing morals and noble characters, be healthy, knowledgeable, skillful, independent, and become Indonesian citizens who are democratic and responsible.

The reform of the education system requires specific strategies. The strategies of the educational development in this Act include:

- 1. The implementation of religious education to foster morals and noble character;*
- 2. The development and implementation of the competency-based curriculum;*
- 3. The teaching and learning process which is inter-active and educational;*
- 4. The reinforcement of the national education system by educational evaluation, accreditation and certification;*
- 5. The enhancement of quality educational personnel;*
- 6. The provision of quality educational facilities;*
- 7. The provision of educational funding based on principles of equality and equity;*
- 8. The provision of open education and equality in education;*
- 9. The implementation of compulsory basic education;*
- 10. The implementation of autonomous management of education;*
- 11. The empowerment of community roles;*
- 12. The center of community empowerment and development; and*
- 13. The implementation of the monitoring activities in national education system.*

With these strategies, it is expected that the vision, missions, and objectives of national education can be effectively realized by involving various stakeholders actively in the implementation of education.

Education reforms should also take into account the implementation of regional autonomy as mandated by the Republic of Indonesia, Act Number 22, Year 1999, on Regional Governance and the Act Number 25, Year 1999, on Balance of the Budget Allocation between the Central and Regional Government.

In view of the above, the Republic of Indonesia, Act Number 2, Year 1989, on National Education System needs to be renewed and replaced.

II. ARTICLE BYARTICLE

Article 1

Self-explanatory

Article 2

Self-explanatory

Article 3

Self-explanatory

Article 4

Verse (1)

Self-explanatory

Verse (2)

Provision of education as an open system is an education which is conducted with the flexibility in the choice of programmes and time taken for completing them, characterized as a multi-entry/multi-exit system. The learners can pursue their education while working, or taking several courses at different modes of schooling as an integrated and continual education programme, either through taking regular programme or distance learning. Polyvalent education is a process of education which is oriented to inculcation of cultural values, empowerment, character building and personality development, and development of various life skills.

Verse (3)

Self-explanatory

Verse (4)

Self-explanatory

Verse (5)

Self-explanatory

Verse (6)

Empowering all segments of society means that education shall be provided by the Government and community in cooperation and partnership, which is mutually reinforcing.

Article 5

Self-explanatory

Article 6

Self-explanatory

Article 7

Self-explanatory

Article 8

Self-explanatory

Article 9

Self-explanatory

Article 10

Self-explanatory

Article 11

Self-explanatory

Article 12

Verse (1) a.

Educator and/or religious teacher who has the same religion as that of learner is facilitated and/or recruited by the Government or local governments in accordance with the term stipulated in Article 41 verse (3).

Verse (1) b.

Educator and/or teacher who is capable to develop learner's talent, interest, and ability is facilitated and/or recruited by the Government or local governments in accordance with the provision in Article 41 verse (3).

Verse (1) c.

Self-explanatory

Verse (1) d.

Self-explanatory

Verse (1) e.

Self-explanatory

Verse (1) f.

Self-explanatory

Verse (2)

Self-explanatory

Verse (3)

Self-explanatory

Verse (4)

Self-explanatory

Article 13

Self-explanatory

Article 14

Self-explanatory

Article 15

General education is basic and secondary education programme that focus on provision of broad based academic skills, needed for learners to pursue further education at high level of schooling.

Vocational education is secondary education programme for preparing learners for a specific job.

Academic education is higher education programme of undergraduate and post-graduate level (sarjana and pasca sarjana), aiming at acquisition of specific science discipline.

Professional education is higher education programme after undergraduate (sarjana) programme which prepares learners for jobs by acquiring particular skills and expertise.

Vocational and technical education is higher education programme for preparing learners for jobs by acquiring applied knowledge at the maximum, equivalent to undergraduate programme (sarjana).

Religious education is basic, secondary, and higher education programmes which prepare learners to perform their role, requiring the acquisition of religious knowledge, and/or to become a religious scholar.

Special education is provision of education programme for the disabled and/or the gifted learners, organized inclusively or exclusively at basic and secondary level of schooling.

Article 16

Self-explanatory

Article 17**Verse (1)**

Self-explanatory

Verse (2)

Education equivalent to SD/MI is Package A programme, and that equivalent to SMP/MTs is Package B programme.

Verse (3)

Self-explanatory

Article 18

Verse (1)

Self-explanatory

Verse (2)

Self-explanatory

Verse (3)

Education equivalent to SMA/MA is Package C programme.

Verse (4)

Self-explanatory

Article 19

Self-explanatory

Article 20

Verse (1)

An Academy provides vocational and technical education in a field or branch of science, technology, and arts.

A Polytechnic provides vocational and technical education in some field of science and technology.

A College for specialization (Sekolah Tinggi) provides academic and/or vocational and technical education in a specific field, and it could provide professional education if it meets the conditions laid down.

An Institute provides academic and/or vocational and technical education within discipline of science, technology, and/or arts, and it could provide professional education if it meets the conditions laid down.

A University provides academic and/or vocational and technical education, in science, technology, and/or arts, and it could provide professional education if it meets the conditions laid down.

Verse (2)

Self-explanatory

Verse (3)

Self-explanatory

Verse (4)

Self-explanatory

Article 21**Verse (1)**

The degrees, among others, are undergraduate degree (sarjana), master and post graduate degrees (magister), and doctoral degree (dokter).

Verse (2)

Self-explanatory

Verse (3)

Self-explanatory

Verse (4)

Self-explanatory

Verse (5)

Self-explanatory

Verse (6)

Self-explanatory

Verse (7)

Self-explanatory

Article 22

Self-explanatory

Article 23**Verse (1)**

Guru besar or Professor is a functional position for those who are actively engaged in teaching at higher education institution.

Verse (2)

Self-explanatory

Article 25

Self-explanatory

Article 26**Verse (1)**

Self-explanatory

Verse (2)

Self-explanatory

Verse (3)

Life skills education is education programmes that provide personal skills, social skills, vocational skills, and intellectual capacity, for preparing for work or to become self-employed.

Youth education is educational programmes that prepare future leaders in the forms of youth organizations, boy scouting, sports, Red-Cross, leadership trainings, environmental peace corps, and entrepreneurship programmes.

Female empowerment education is education programme on female's self-esteem and dignity.

Equivalent education is non-formal general education programmes equivalent to primary school (SD and MI), junior secondary school (SMP and MTs), and senior secondary school (SMA and MA) and includes Package A, Package B, and Package C programmes.

Education and on-the-job training is conducted to improve the capability of the learners by focusing on the acquisition of functional skills demanded by the labour market.

Verse (4)

Self-explanatory

Verse (5)

Courses and training are a form of continuing education programmes to develop students' potentialities with focus on acquisition of vocational skills, standard of competency, entrepreneurship, and professional aptitude. These are developed through certification and accreditation nationally and internationally.

Verse (6)

Self-explanatory

Verse (7)

Self-explanatory

Article 27

Self-explanatory

Article 28

Verse (1)

Early childhood education is provided for children up to six years of age, which is not a prerequisite for entering primary school.

Verse (2)

Self-explanatory

Verse (3)

Kindergarten (TK) provides education for development of children's personality and potentials in accordance with their level of growth.

Raudhatul athfal (RA) provides Islamic education to inculcate values of faith and piety in children for the development of their potentials, as in kindergarten.

Verse (4)

Self-explanatory

Verse (5)

Self-explanatory

Verse (6)

Self-explanatory

Article 29

Self-explanatory

Article 30

Self-explanatory

Article 31

Verse (1)

Self-explanatory

Verse (2)

Self-explanatory

Verse (3)

Distance education could be in the forms of correspondence, radio, audio/video, TV, and computerized networking programmes.

Modes of distance learning programme cover single mode or face-to-face programme (dual mode).

The coverage of distance learning could be a course based programme, and/or a field of study based programme

Verse (4)

Self-explanatory

Article 32

Self-explanatory

Article 33

Verse (1)

Self-explanatory

Verse (2)

The teaching of local languages at basic education level in a region shall be in accordance with the frequency of the use of that language in the region concerned.

Early stage of schooling refers to first and second grade of primary school.

Verse (3)

Self-explanatory

Article 34

Self-explanatory

Article 35

Verse (1)

Standard of the content shall cover scope of education materials and levels of competency which are set as the requirements for graduate competency, competency in learning materials, competency for each subject matter, and syllabus, which requirements must be achieved by learners at given levels and types of education.

Graduate competency means the qualification of graduates, which covers attitudes, knowledge and skills, in accordance with the national standards that are laid down.

Standards of personnel education cover criteria and feasibility for pre-service education training as well as in-service education training, both physically or mentally.

Standard of educational facilities and equipment cover classrooms, sport centers, pray-rooms, libraries, laboratories, workshops, playgrounds, creation centers, recreation sites, and other educational resources which are required to support a learning process, including the use of information and communication technology

The national standard of education needs to be improved regularly and systematically to increase excellent local quality and to promote national interest and justice, keeping in view competition among nations globally.

Verse (2)

Self-explanatory

Verse (3)

The Board of standardization and quality assurance is an independent institution at national and provincial levels.

Verse (4)

Self-explanatory

Article 36

Verse (1)

Self-explanatory

Verse (2)

The development of diversified curriculum has the purpose to make the curriculum relevant to local conditions and specific potential in the region.

Verse (3)

Self-explanatory

Verse (4)

Self-explanatory

Article 37

Verse (1)

Religious education shall be intended to mould learners to become a human being who is faithful and pious to the One and Only God, and who has morals and noble character.

Civic education shall be intended to mould learner to become a human being who has a sense of nationalism and patriotism.

The learning materials for languages cover Bahasa Indonesia, local languages, and foreign languages, provided that:

- Bahasa Indonesia is the national language;*
- Local languages can be used as the mother-tongue of the learner; and*
- Foreign languages, especially English language, can be used as a means in global dealing.*

The learning materials for mathematics cover arithmetic, geometry, and algebra, which is intended to develop learners' capacity for logical thinking.

The learning materials for physical sciences cover physics, biology, and chemistry, which is intended to develop learners' knowledge, understanding, and analytical thinking towards natural surroundings and environment.

The learning materials for social sciences cover geography, history, economics, health science, etc., which is intended to develop learners' knowledge and understanding, and analytical thinking toward conditions of society.

The learning materials for art and culture is intended to mould learners' character to become a human being who has aesthetic interests, and an understanding of culture, including writing, drawing/painting, singing, and dancing.

The learning materials for physical education and sports is meant for building learners' character so that they become healthy, physically and mentally, and for their sportive growth.

The learning materials for local contents curriculum is intended to create awareness and understanding of the potential of their local places and regions.

Verse (2)

Self explanatory

Verse (3)

Self explanatory

Article 38

Self explanatory

Article 39

Verse (1)

Educational personnel consists of manager of unit of education, superintendent, learning guides (pamong belajar), supervisor, researcher, pedagogical developer, librarian, laboratory technician, and other resources technicians.

Verse (2)

Self-explanatory

Article 40**Verse (1) a.**

Reasonable and adequate income means income which is a reflection of the position of teacher as a professional educator and which is above the minimum needs.

Social welfare security, to be reasonable and adequate, covers, inter alia, health and old-age security.

Verse (1) b.

Self-explanatory

Verse (1) c.

Self-explanatory

Verse (1) d.

Self-explanatory

Verse (1) e.

Self-explanatory

Verse (2)

Self-explanatory

Article 41**Verse (1)**

Teachers and education personnel shall be able to work anywhere in the territory of the Republic of Indonesia, while complying with the laws which are in force.

Verse (2)

Self-explanatory

Verse (3)

Facilitation by the Government and local governments is intended to avoid the shortage or excessive placement of teachers and education personnel, as well as to improve the quality of education in a unit of education.

Verse (4)

Self-explanatory

Article 42

Self-explanatory

Article 43

Verse (1)

Self-explanatory

Verse (2)

Certification programme is aimed at fulfilling minimum qualification of teachers as an integrated programme of career development, carried out by the Government and/or local governments.

Verse (3)

Self-explanatory

Article 44

Self-explanatory

Article 45

Self-explanatory

Article 46

Verse (1)

Source of funds for education include those from the Government budget (APBN), province and district budgets (APBD), and other funding sources from the community such as donation, grant, wakaf, zakat, nazar, loan, contribution from firms, tax exemption for education, and other possible legal sources.

Verse (2)

Self-explanatory

Verse (3)

Self-explanatory

Article 47

Self-explanatory

Article 48

Self-explanatory

Article 49

Verse (1)

The education budget provisions could be gradually given effect to.

Verse (2)

Self-explanatory

Verse (3)

Self-explanatory

Verse (4)

Self-explanatory

Verse (5)

Self-explanatory

Article 50**Verse (1)**

Self-explanatory

Verse (2)

Self-explanatory

Verse (3)

Self-explanatory

Verse (4)

Self-explanatory

Verse (5)

Self-explanatory

Verse (6)

Autonomy of higher education institutions means freedom in running their institutions.

Verse (7)

Self-explanatory

Article 51**Verse (1)**

School/Madrasah based management is a form of autonomy in managing education in a unit of education, in which the school headmaster and teachers are assisted by the school committee in running the education programmes.

Verse (2)

Self-explanatory

Verse (3)

Self-explanatory

Article 52

Self-explanatory

Article 53

Verse (1)

Legal entities of education are intended to provide legal basis for education providers for running an education unit, like the government managed legal entities (BHMN).

Verse (2)

Self-explanatory

Verse (3)

Self-explanatory

Verse (4)

Self-explanatory

Article 54

Self-explanatory

Article 55

Verse (1)

The uniqueness of an education institution run by community is respected and guaranteed by this Act.

Verse (2)

Self-explanatory

Verse (3)

Self-explanatory

Verse (4)

Self-explanatory

Verse (5)

Self-explanatory

Article 56

Self-explanatory

Article 57

Self-explanatory

Article 58

Self-explanatory

Article 59

Self-explanatory

Article 60

Self-explanatory

Article 61

Self-explanatory

Article 62

Self-explanatory

Article 63

Self-explanatory

Article 64

Self-explanatory

Article 65

Verse (1)

The laws include those relating to immigration, taxation, investment, and labour employment.

Verse (2)

The implementation of religious education shall comply with Article 12 verse (1) a.

Verse (3)

Self-explanatory

Verse (4)

The foreign education system includes curriculum, evaluation system, and levels of school education.

Verse (5)

Self-explanatory

Article 66

Verse (1)

Self-explanatory

Verse (2)

Self-explanatory

Verse (3)

The Government regulations referred to cover, inter alia, procedures for supervision, and administrative sanctions.

Article 67

Self-explanatory

Article 68

Self-explanatory

Article 69

Self-explanatory

Article 70

Self-explanatory

Article 71

Self-explanatory

Article 72

Self-explanatory

Article 73

Self-explanatory

Article 74

Self-explanatory

Article 75

Self-explanatory

Article 76

Self-explanatory

Article 77

Self-explanatory

*Published by
The Ministry of National Education
Republic of Indonesia
Jakarta, 2003
Layout: Sophie Guerbador & Benoît Duché*