

Legal Protection for Teachers in Disciplinary Measures for Students in The Public Elementary School

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ABSTRACT

Teachers in several regions have increasingly faced legal charges for administering disciplinary actions that were intended as educational corrections for students. This situation highlights the need for clear legal protection to safeguard teachers and other educational personnel as they perform their professional duties. The objective of this study is to examine the legal protections available to teachers and identify preventive measures to minimize disciplinary violations in public elementary school clusters in Clering. The study employs an empirical juridical methodology, combining secondary data as the theoretical foundation with primary data obtained from field observations, interviews, and community studies to evaluate the effectiveness of existing government regulations. The results indicate that legal protections for teachers in disciplinary cases are diverse and vary by jurisdiction, aiming to balance students' rights with the need to maintain order and discipline in schools. The study concludes that these protections promote fairness, prevent unjust criminalization of teachers, and strengthen professional autonomy. This research contributes to legal science by providing empirical evidence on how teacher protection policies operate in practice within Indonesia's educational context.

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INTRODUCTION

Protection is a crucial aspect of human life. Every individual, institution, or organization has the right to protection through guarantees of safety, health, and security. The Republic of Indonesia is a state of law that guarantees protection as stipulated in the Preamble to the 1945 Constitution of the Republic of Indonesia, paragraph 4: "... a Government of the State of Indonesia which shall protect the whole Indonesian nation and the entire native land of Indonesia and to advance the public welfare, to educate the life of the nation, and to participate in the execution of world order." This provision clearly states that protection is one of the state's obligatory goals. Nevertheless, empirical data from Komisi Perlindungan Anak Indonesia (KPAI), the Indonesian Child Protection Commission, indicates that from 2020 to 2024, more than 120 cases were reported in which teachers faced legal proceedings arising from disciplinary actions taken against students. In 2024, there were 1,378 complaints related to the fulfillment of children's rights in educational institutions (Komisi Perlindungan Anak Indonesia, 2025). These cases reflect a legal tension between protecting children's rights and educators' professional authority to maintain discipline. Preliminary findings in public elementary school clusters in Clering further reveal limited legal awareness among teachers concerning the permissible scope of disciplinary measures. Consequently, an in-depth examination of legal protection for teachers is imperative to ensure legal certainty, uphold justice, and safeguard the integrity of the teaching profession.

Education is a fundamental aspect of human life and a vital process in shaping culture and civilization. It plays a key role in developing individuals' intellectual and moral capacities and in sustaining social progress (Tilaar, 2000; UNESCO, 2015). Within this process, teachers occupy a central position as professionals who must respond to the increasingly complex challenges of modern society. They serve not only as instructors who transfer knowledge but also as educators who instill values and as mentors who guide students in developing their potential (Widiastono, 2004; Hargreaves & Fullan, 2012; Loughran, 2010). Furthermore, education is understood as a conscious, planned effort to foster learning environments that encourage students to actively and holistically develop their abilities (Hastiani, 2022; Suryana, 2020; Sudjana, 2017). Through education, it is hoped that students develop spiritual strength grounded in religious values, cultivate self-control, form good character, instill noble morals, and acquire the skills necessary for themselves and their society. Formal education is carried out in schools, involving interaction between teachers and students. In this context, teachers serve as professional educators, with the primary responsibility of educating, teaching, guiding, directing, training, assessing, and evaluating students' progress, particularly in early childhood, elementary, and secondary education.

In education, a punishment-oriented approach is often questioned, particularly when it comes to protecting children's rights (Purnama & Widjajanta, 2024). Parents, as key stakeholders in their children's education, hold varying views regarding disciplinary methods in the school environment. As understanding of children's rights grows, many argue that corporal or degrading punishment negatively impacts a child's psychological and emotional development. Therefore, it is essential to reassess child-rearing methods, taking into account broader principles of child protection and human rights. Many argue that a more positive and constructive approach to disciplining children should be prioritized. Rather than repressive punishment, methods grounded in understanding and communication are more effective at shaping children's behavior. This also aligns with the goal of education to guide and develop children's potential, rather than simply punishing their mistakes. Professional support that schools and/or districts can offer teachers includes coaching, mentoring, and various professional development or professional learning opportunities, including informal observations that provide formative feedback (Goe et al., 2017). Thus, it is crucial for all parties involved in education, including schools and parents, to work together to create an environment that supports children's holistic development. This includes implementing human rights and child protection principles as stipulated in law, as well as avoiding practices that harm children physically and mentally. Open dialogue between parents and educators is necessary to achieve this goal and ensure that children receive a quality and equitable education.

A profession is defined as an occupation requiring specialized expertise, the application of scientific techniques, and a high level of commitment. Expertise in a profession is typically acquired through a specially designed educational institution with a credible curriculum. The term profession refers to a field of work based on specific education and expertise, encompassing skills, vocational training, and other relevant aspects (Husaini, 2018). It is essential to recognize that every profession is not merely a task or occupation; it also encompasses knowledge and skills acquired and refined through formal education. Individuals engaged in a particular profession are expected to possess an adequate educational background and the practical skills necessary to meet the demands of their job. Paradoxically, some school-level initiatives aimed at increasing teaching hours, such as excessive teacher work programs, undermine teacher autonomy and are among the least effective (Jerrim et al., 2023).

Relevant laws protect the profession of teaching. Teachers now have a clear legal basis regarding their rights and obligations in carrying out their profession (Pristiwiyanto, 2020). All regulations related to the teaching profession, including obligations, duties, and responsibilities, are

outlined in various normative regulations, thereby ensuring the proper conduct of this profession. However, in reality, the legal protections teachers obtain do not always meet expectations, particularly in safeguarding the teaching profession itself. New teachers learn to teach by developing concepts, practices, skills, character, and orientations related to teaching, and by reflecting on various conceptions of their own, their teacher education program, and the teachers and schools with whom they collaborate, where they learn to teach (Varelas et al., 2023). Research in teacher education and quality improvement science suggests several potential mechanisms for the co-evolution of collaborative teacher learning in classroom teaching (Shim & Thompson, 2024). Teachers provide several reasons for remaining in the profession and maintaining their motivation, such as a passion for teaching, the opportunity to work with students, and the opportunity to support their learning (Haukås, 2024). Teachers play a crucial role not only as educators but also as agents of socialization. They can foster healthy relationships with students and prevent adverse interactions. To promote multicultural education, where ethnic discrimination is considered morally unacceptable, teachers are required to "teach by example" through their own behavior, especially in their relationships with students from different ethnic backgrounds. Teachers' attitudes toward diversity and their behavior toward people from ethnic minorities directly impact their students' social experiences within peer groups (Taiti et al., 2024).

Elementary school education plays a crucial role in children's development. The learning process at this level is not limited to academics but also encompasses the development of character and habits that shape students into decent individuals in the future. Children in the elementary school age range (6 to 12) are in a developmental stage known as middle childhood (Izzati et al., 2014). Within this educational process, one crucial element is fostering active participation and curiosity. Elementary school is a significant period of exploration for students. During this period, they tend to exhibit a high level of activity, not only in classroom learning but also in various social activities. Often, students' levels of activity and curiosity can exceed established boundaries and even violate existing rules. Educators and parents must understand this dynamic in order to provide appropriate guidance. Through an approach that supports exploration and curiosity, students are expected to develop their potential optimally while cultivating the discipline and responsibility necessary for their future lives.

Teachers must possess the competence and ability to carry out their professional duties, as stipulated in Government Regulation Number 19 of 2005, Article 28, paragraph 3, concerning Pedagogical Competence, Personality Competence, Professional Competence, and Social Competence. Teachers must also meet the employment requirements stipulated in Government Regulation Number 38 of 1992. Based on this legal basis, the teaching profession requires specialized education grounded in appropriate scientific insights, a strong work ethic, a professional code of ethics established by professional teaching organizations, and recognition from the community and the state. Problems between teachers and students, as well as between teachers and parents, are evident in the numerous reports filed with authorities by students and parents regarding alleged criminal acts related to the teaching profession. This situation is a culmination of various existing issues, including a lack of communication between parents and children, minimal interaction between parents and teachers, and a lack of dialogue between teachers and students (Fitriana, 2017). In addition, economic factors affecting teachers, as well as the character of students, who are more influenced by their environment and technological developments, also contribute to this problem. Teachers often have preconceptions about learning and teaching, shaped by their experiences. These preconceptions are at odds with current educational reforms. Profound experiences often disrupt long-held beliefs, prompting teachers to reevaluate their assumptions and adopt new practices or lessons (Nash et al., 2024).

Based on Article 1, paragraph 1, of Law Number 14 of 2005 concerning Teachers and Lecturers, teachers are professional educators with the primary task of educating, teaching, guiding, directing,

training, assessing, and evaluating students in early childhood education, as well as in formal education, primary education, and secondary education. This provision means that teachers are among those who can shape students' souls and characters. The teaching profession is currently facing increasingly complex challenges, alongside societal perspectives that are consciously shaped by the doctrine of legal protection for children.

The elements that form the national education system in Indonesia are regulated in Law Number 20 of 2003 concerning the National Education System, including 1) educators and education personnel, who are individuals or groups who have a role in the teaching and learning process; 2) students or individuals who receive education; 3) educational objectives, which refer to the targets or results to be achieved through education; 4) educational content in the form of material or teaching materials in the teaching and learning process; and 5) educational evaluation to assess the effectiveness and efficiency of the education being implemented. In addition, in a broader context, teachers are viewed as individuals with higher levels of education outside the school environment, thereby extending their role not only to the classroom but also to society at large ([Musa et al., 2024](#)).

Teachers serve as *in loco parentis* or second parents within the school environment, bearing the moral and legal responsibility to guide, educate, and discipline their students. In fulfilling this role, teachers are authorized to administer rewards and punishments as integral components of the educational process. Pursuant to Article 39 of Government Regulation Number 74 of 2008 concerning Teachers, educators have the discretion to impose disciplinary measures on students who violate religious norms, moral standards, politeness norms, written or unwritten classroom rules, institutional regulations, and statutory provisions relevant to the learning process under their supervision. The same article further stipulates that punishments may take the form of reprimands or warnings—either verbal or written—or educational sanctions aligned with pedagogical principles, the teacher's code of ethics, and prevailing laws and regulations. These provisions emphasize that disciplinary actions must serve educational objectives rather than punitive intentions. Nevertheless, in practice, the absence of uniform interpretation and limited understanding of these legal provisions among teachers often leads to disciplinary measures that become the subject of public controversy or legal dispute.

Disciplinary punishment administered by teachers is principally intended as an educational instrument to reprimand or warn students for inappropriate behavior. Such measures are pedagogically designed to foster students' moral awareness, responsibility, and compliance with school norms. However, in practice, these disciplinary actions are frequently misinterpreted by parents or guardians as forms of violence, abuse, or even inhumane treatment, resulting in legal complaints or public disputes. This misconception often arises from a limited understanding of the school's internal guidance and disciplinary procedures, which are grounded in educational rather than punitive objectives. According to [Martono](#) (2012), teachers require clear and consistent legal protection in performing their professional duties to prevent misjudgment and ensure that corrective actions remain within the bounds of educational ethics and legality. The absence of such protection may create a climate of fear among educators, diminishing their authority to maintain order and discipline in the learning environment. Consequently, establishing a firm legal framework for teacher protection is essential to uphold professional autonomy while safeguarding students' rights.

Article 39 of Law No. 14 of 2005 concerning Teachers and Lecturers stipulates that the government, regional governments, communities, professional organizations, and educational institutions are obligated to protect teachers while they perform their duties. This protection encompasses legal, professional, and occupational safety and health protection. However, to date, this protection for teachers has not been fully implemented. As a result, when faced with specific legal cases, teachers' positions are often very weak. Teachers, in addition to being accused of perpetrating

violence against students, in some cases are actually made victims of violence by students or their parents. These acts of violence are no exception for female teachers, as women are vulnerable in several aspects of life.

One important aspect of ensuring that teachers fulfill their professional duties and responsibilities is legal protection. This legal protection is crucial because it encompasses various forms of protection against acts of violence, threats, and discriminatory and intimidating treatment. These acts can originate with various parties, including students, parents, the wider community, the bureaucracy, and others involved. With this legal protection, it is hoped that teachers can carry out their roles with greater calm and focus without feeling threatened by inappropriate actions. This protection also aims to create a safe and conducive educational environment where educators can contribute optimally to students' learning and character development (Umardani & Liany, 2017).

Several cases of violence and discrimination against female teachers in society, both unheard and unreported, occurred in Kupang City, East Nusa Tenggara, where students discriminated against them while administering discipline to their students (Budoyo & Hardiyanti, 2021). While teaching, a student was not listening and instead chatted with a friend. The student's voice was so loud that it disrupted the classroom learning. The teacher immediately reprimanded the student, but the student ignored it. Then the teacher approached the student and asked them to repeat the material. However, the student asked in return which page she was referring to. The teacher, annoyed that the student was not listening, tapped the student's head with a marker. The student retaliated by hitting the female teacher in the nose and kicking her (Bere & Agriesta, 2022). This case is considered to violate Article 28D, Paragraph (1), of the 1945 Constitution of the Republic of Indonesia, which states that "Everyone has the right to recognition, guarantees, protection, fair legal certainty and equal treatment before the law." This statement is strengthened in Article 27, Paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which states that "All Indonesian citizens have equal standing before the law and government and are obliged to uphold the law and government without exception." Therefore, it is crucial to develop clear criteria for disciplinary measures and strengthen accessible legal protections for teachers. This will ensure that educators can play their crucial role in influencing the future of Indonesian children without fear of legal consequences. The objective of this study is to examine the legal protections available to teachers and identify preventive measures to minimize disciplinary violations in public elementary school clusters in Clering.

METHOD

This study employs an empirical juridical method that integrates normative legal analysis with empirical field data to examine the implementation of teacher protection regulations. Primary data are obtained through field observations, interviews, and questionnaires, while secondary data, including statutory provisions, legal literature, and previous studies, serve as the analytical foundation (Amirudin, 2012). The research focuses on public elementary school clusters in Clering, Jepara Regency, with teachers, principals, and education officers as key informants. Primary legal sources consist of Law Number 14 of 2005 concerning Teachers and Lecturers and Government Regulation Number 74 of 2008 concerning Teachers, which form the normative framework for assessing the effectiveness of legal protection in disciplinary contexts. Data were analyzed using a quantitative approach, supported by qualitative interpretation, to identify correlations between legal provisions and their practical application, with the researcher serving as the principal instrument for validating the findings.

Quantitative interviews on legal protections for teachers in disciplining students at public elementary school clusters in Clering, Jepara Regency, are an important step toward understanding the dynamics and challenges educators face in carrying out their duties. In this context, quantitative

interviews were conducted with several teachers from various schools in the cluster to collect data on their perceptions of existing legal protections and how applicable regulations affect the disciplining of students. The results of these interviews are expected to provide a clear picture of the extent to which teachers feel protected in carrying out their duties and the legal challenges they may face in disciplinary situations. In addition, this study aims to identify best practices that teachers have implemented in disciplining students and how they have adapted to existing policies. These quantitative interviews serve not only as a data-collection tool but also as a means to raise awareness of the importance of legal protection for teachers, thereby creating a safer, more conducive learning environment in Jepara Regency.

Legal protection for teachers needs to be clearly defined so they can carry out their duties effectively without fear of legal action arising from disciplinary decisions. Student disciplinary measures often require teachers to take decisive action to maintain classroom order and discipline. However, these actions must be taken while also considering students' rights and applicable regulations. Therefore, an in-depth legal analysis is necessary to evaluate existing regulations, including the National Education System Law and regional regulations governing education in Jepara Regency. By understanding their limitations and rights, teachers are expected to carry out their responsibilities with greater confidence and protect themselves from potential legal action arising from disciplinary measures. Furthermore, it is also essential to involve relevant parties, such as the Education Office and child protection agencies, to provide support and educate students about the rights and responsibilities of both teachers and students in disciplinary matters.

RESULTS AND DISCUSSION

Legal protection for teachers in disciplining students is crucial to maintaining a safe and productive educational environment. By addressing challenges and implementing recommended improvements, such as education law training and a balanced legal framework, teacher protections can be significantly enhanced, ensuring fair treatment and effective discipline in schools. Various hopes are placed on education, such as creating a nation that is intelligent, qualified, faithful, pious, and imbued with noble morals. Furthermore, education is expected to produce individuals who master science, technology, and the arts. All of this aims to realize a society that is advanced, just, prosperous, and civilized, based on Pancasila and the 1945 Constitution of the Republic of Indonesia. Education is expected to focus not only on academic mastery but also on the formation of strong character and morals. Thus, the next generation will not only be intelligent in thinking but also wise in acting. A high-quality education will create human resources capable of competing globally while upholding the nation's noble values (Guntara et al., 2016). In this context, it is essential to emphasize that education must be inclusive and equitable, ensuring that every level of society has equal access to quality education. This is expected to create social justice and reduce inequality within society.

Furthermore, education also plays a role in preparing individuals to face the challenges of an ever-evolving era, particularly in the current digital era. Therefore, integrating technology into education is imperative so that students become not merely consumers of information, but also creators and innovators. To achieve these goals, collaboration between the government, the community, and the business world is essential. All parties must work together to create a conducive environment for teaching and learning. With strong support, it is hoped that education in Indonesia will produce a generation that excels not only in science but also possesses leadership and a strong sense of social responsibility. The types of protection provided to teachers are comprehensive. This protection encompasses various aspects, including legal protection, professional protection, and occupational safety and health protection (Arifin, 2020). Existing regulations clearly explain the differences between these aspects. Each category of protection has a specific and detailed scope,

facilitating assessment and evaluation. This enables teachers to understand and benefit from the protection specifically designed for them in the course of their professional duties and responsibilities. The distribution of data on teachers involved in this study is presented in Figure 1.

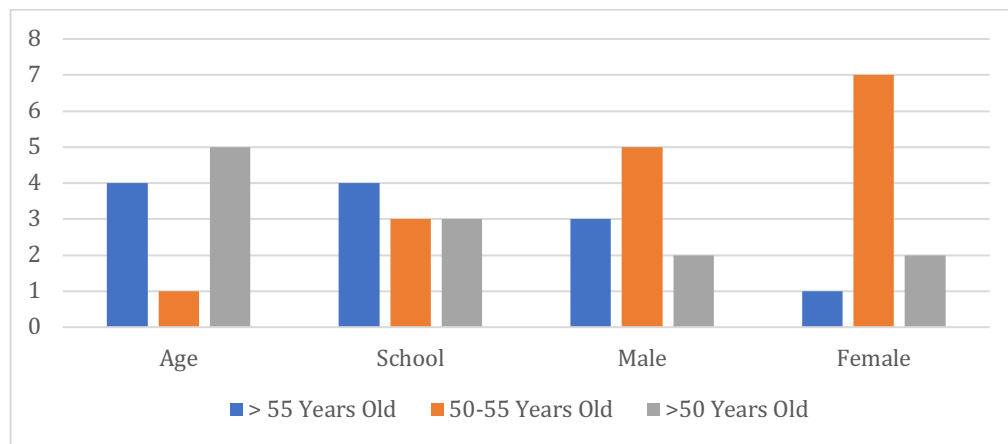


Figure 1. Distribution of Research Subjects

Legal protection for teachers in the Clering public elementary school cluster has essentially been in place for a long time. According to the Principal of SD Negeri 3 Clering, during an interview, teacher protection at this school is guided by Article 39 of Law No. 14 of 2005 concerning Teachers and Lecturers, as well as Articles 40 and 41 of Government Regulation No. 74 of 2008 concerning Teachers. This legal protection includes protection arising from actions by students, parents of students, the community, the bureaucracy, or other parties, including violence, physical or psychological threats, discriminatory treatment, intimidation, and unfair treatment (Mahfuddin, 2013). When implementing discipline, teachers often experience unpleasant treatment from both students and parents. This is what happened to JN, a physical education teacher, when he disciplined RV by pulling his ear. RV was known to bully DHS at school. RV's parents, dissatisfied with JN's behavior, reported JN's actions to the principal, hoping that RV would receive justice by taking JN's teacher to court. After various attempts, the students agreed to a settlement, and the school evaluated JN's actions. This chronology was conveyed by the principal of SD Negeri 3 Clering 3 in an interview on August 1, 2024.

A similar incident occurred at SD Negeri 2 Clering, as reported by the principal in an interview on August 2, 2024. Teacher HC took disciplinary action by throwing a blackboard eraser at YHS after HC became furious upon seeing YHS chatting during class. Student YHS then hit teacher HC in front of the class. YHS's parents, who heard about the incident, went to school the next day and cursed HC in public. They even informed other parents about HC's actions, sparking a public discussion. YHS's parents' actions indirectly dishonored someone. The principal then mediated between YHS's parents and HC's teacher. After mediation, YHS's parents realized that the sanctions imposed by the HC stemmed from YHS's actions. It is not uncommon to hear that teachers also experience various forms of bullying or even ridicule from their students. Bullying itself is a complex concept and difficult to define clearly. Terms like 'bullying by teachers' or 'educational staff' are often ambiguous and easily misinterpreted. This is especially true in the context of public discourse and policy, where teachers are often positioned as those in power. In this view, teachers are often seen as the perpetrators of bullying, while students are positioned as the victims (Fogelgarn & Burns, 2019).

Furthermore, teachers are also targets of bullying and harassment by students. This situation creates significant vulnerabilities for educators. They face not only the challenges of managing their classrooms and educating students but also the negative behavior directed at them. Unfortunately,

many teachers feel that reporting such incidents will negatively impact them. They fear that their professional capacity and credibility will be questioned if they speak out about their experiences. This creates a dilemma for teachers. On the one hand, they want to protect themselves from inappropriate behavior and strive to create a safe learning environment. On the other hand, they feel pressured not to report bullying for fear of potential consequences. This is a highly complex situation and reflects the challenges educators face in carrying out their duties.

Therefore, we must understand that bullying in educational settings involves more than just teachers as perpetrators and students as victims. There is a broader dynamic that needs to be addressed, where teachers can also be victims of negative student behavior. Creating a healthy and safe educational environment requires awareness and action from all parties. This includes supporting teachers to speak about their experiences without fear of stigma or negative consequences. In this way, we can build a culture of mutual respect and support in education. Optimizing and updating the content, learning processes, and methodological training for future elementary school teachers is crucial. This includes implementing various interactive methods in the training provided, designed through adjustments and developments in elementary education programs. These general education programs must be oriented towards actual practice, with a clear ultimate goal: the holistic development of students' personalities (Koval et al., 2022). Therefore, the approach should not only focus on academic aspects but also on the development of students' character and personality. In this context, teachers must adopt more innovative and interactive methods to make the teaching and learning process more engaging and effective.

Through structured and ongoing training, teachers are expected to implement these methods in the classroom. This will have a positive impact on students, as they will be more engaged in the learning process and better able to develop their potential. Furthermore, adjustments to educational programs must take into account students' needs and characteristics, so that each individual can receive a learning experience tailored to their abilities and interests. In this way, basic education will not only produce academically intelligent graduates but also possess strong personalities and be prepared to face future challenges. Overall, the optimization and renewal of basic education are crucial steps toward creating a generation that excels not only in science but also possesses good character, socializes well, and is ready to contribute positively to society. Improving the quality of teachers in carrying out their duties and responsibilities as educators focuses on enhancing the overall quality of education and the morals and ethics of the students under their care (Monica, 2023). Good educational quality is inseparable from the way teachers or educators deliver subjects, particularly in the professional administration of punishments or sanctions. With the right approach, teachers can help shape students' character, so that they not only gain academic knowledge but also develop moral values important to their future lives.

In education, the role of teachers is crucial. They serve not only as conveyors of information but also as guides and mentors, motivating students to reach their full potential. Therefore, improving teacher professionalism is crucial, including in classroom discipline management. The fair and judicious application of sanctions can help students understand the consequences of their actions and encourage them to behave better. Sanctions from teachers should not only be punitive but also educational. This way, students can learn from their mistakes and strive not to repeat them. This process is crucial for developing strong, positive character in students, which will help them face challenges outside of school. Furthermore, a professional approach to administering sanctions can also create a conducive learning environment, where students feel safe and valued.

The rights of educators, including employment, academic freedom, tax deductions, and other benefits, are protected by crucial regulations. Teachers play a significant role in protecting students' rights by providing them with opportunities to express their opinions openly and encouraging critical

thinking (Bucoy et al., 2024). The government should protect teachers' rights in private schools, including by providing incentives for absences, such as salary reductions, and by handling disciplinary actions and dismissals appropriately. All teachers are guaranteed equal protection under the law, regardless of their gender, race, religion, or other protected characteristics. Teachers are entitled to a fair process before a neutral institution, the ability to present witnesses and evidence in their defense, and to be informed about any charges against them.

Quality education focuses not only on academics but also on developing students' character and morals. Therefore, teachers must have a deep understanding of effective teaching methods and how to administer educational sanctions. In this regard, teacher training and professional development are crucial to enhancing their ability to manage classrooms and better educate students. By improving teacher quality and implementing effective teaching methods, it is hoped that the quality of education will improve, and, in turn, students' morals and ethics will be well maintained. Thus, education will not only produce academically intelligent individuals but also individuals with good character and prepared to contribute positively to society. Disciplining students for educational purposes has been implemented by all teachers in the public elementary school cluster in Clering since an early age. However, in practice, there is undeniable potential for negative responses from students and parents who believe teachers have violated children's rights. An interview with the principal of SD Negeri 1 Clering on August 2, 2024, revealed several internal and external efforts by teachers to avoid violations in the disciplinary process for students at the school.

Internally, teachers instill character in students from an early age, for example, lining up at the front of the class and shaking hands with the teacher before entering and implementing the duty schedule. This aims to increase discipline and respect between students and teachers. In contrast, externally, teachers develop skills related to students. For example, creating activities to foster good relationships with students, establishing a positive, conducive, friendly, and appropriate learning environment, encouraging students to study diligently, building students' self-confidence and optimism, and guiding them to produce excellent work or achieve their goals. On the other hand, teachers need to conduct observations and evaluations to monitor student development outside the school environment so that the school can implement appropriate rules and sanctions.

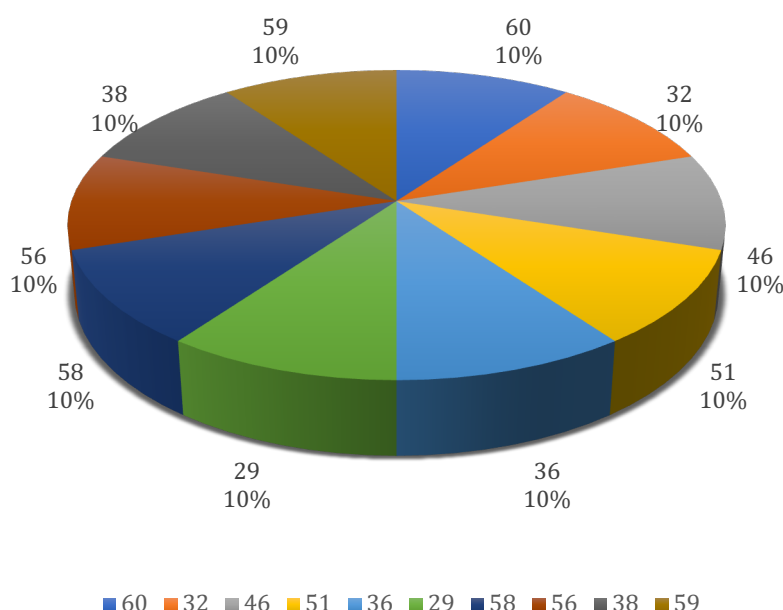


Figure 2. Age of Teachers in Public Elementary School Cluster in Clering

In carrying out their professional duties and responsibilities, teachers must understand the code of ethics and the Teachers and Lecturers Law to avoid violations during the disciplinary process. According to Figure 2, 60% of teachers are over 45 years old, and these senior teachers lack a thorough understanding of how to handle or discipline students in accordance with the teacher code of ethics and the provisions of Law Number 14 of 2005 concerning Teachers and Lecturers. Legal protection for teachers is regulated in Law Number 14 of 2005 concerning Teachers and Lecturers, followed by Government Regulation (PP) Number 74 of 2008, which was amended by Government Regulation Number 19 of 2017 concerning Teachers. However, current reality shows that legal protection for teachers is neither optimal nor fully realized. Teachers often experience unpleasant treatment from students and their parents. Reprimands or sanctions given to students within the school environment are one form of disciplinary action by teachers to prevent deviant behavior. However, currently, these disciplinary actions are considered a violation of children's rights to protection. This is due to parents' lack of understanding of school guidance. Therefore, legal protection is necessary for teachers to carry out their professional duties without fear of arbitrary actions by other parties. (Wolfolk, 2016)

A similar case occurred with teacher JN at SD Negeri 3 Clering. If reported to the authorities, it would impact JN's teaching career. Furthermore, according to positive law and victimology, criminalizing a teacher while carrying out his profession would cause physical and mental suffering for JN and his family. Their economic well-being would decline, and the public perception would remain negative even after the sentence ends. Based on the Regulation of the Minister of Education and Culture Number 10 of 2017 concerning Protection for Educators and Education Personnel, Article 1 explains that "Protection is an effort to protect Educators and Education Personnel who face problems related to the implementation of their duties." In Article 3, it is stated that protection includes protection against acts of violence, threats, discriminatory treatment, intimidation, and unfair treatment by students, parents of students, the community, the bureaucracy, and/or other parties involved in the implementation of duties as Educators and Education Personnel.

Based on these regulations, teacher protection is absolute. Unfortunately, many teachers work in uncertainty about their employment status, welfare, professional development, and legal advocacy when faced with legal issues. Persatuan Guru Republik Indonesia (PGRI), as a professional teacher organization, has a professional organizational tool in the form of Dewan Kehormatan Guru Indonesia (DKGI) or Indonesian Teachers' Honorary Council, which can optimize its role, duties, and authority, ensuring that teachers receive protection in carrying out their professional duties optimally. Violations of the code of ethics, as well as civil, administrative, and criminal violations committed by teachers in the course of their professional duties, are not directly handled by law enforcement, as is currently the case, but must first be addressed by DKGI. Therefore, teachers need to join the PGRI so that when problems arise, they can seek assistance from their parent organization, including legal support.

In carrying out their professional duties, teachers adhere to a code of ethics. This code of ethics governs the relationship between teachers and their duties and obligations in the performance of their profession (Zhao, 2018). Implementing a teacher code of ethics is a crucial step in enhancing the overall quality of education and ensuring that teachers act reasonably, objectively, and professionally in all aspects of their work. If teachers do not fully understand the code of ethics, they may struggle to meet the expected standards of professionalism. This can lead to a decline in the quality of education and in teachers' image, as well as to ethical violations in teaching practice. Teachers should set a good example for their students. Teachers should set a positive example for students in terms of ethics, integrity, and responsibility, as students observe and assess their behavior directly and can even automatically imitate it (Dillabough, 2018). In other words, teachers serve as role models or second parents in the school environment. Character development for each student must be carried out

because it relates to the affective (attitude) and psychomotor (behavior) aspects, thus producing students who are not only outstanding intellectually but also mentally strong, with good attitudes and behaviors ([Matnuh, 2018](#))

When implementing disciplinary measures against students, teachers need to understand Law Number 14 of 2005 concerning Teachers and Lecturers, which regulates the forms of discipline that may be imposed on students. This is intended so that the teacher's goal in educating students does not violate children's rights as regulated in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2003 concerning Child Protection as explained in Article 54: 1) Children in and within the educational unit environment are required to receive protection from physical violence, psychological violence, sexual crimes, and other crimes committed by educators, education personnel, fellow students, and/or other parties; 2) Protection as referred to in Paragraph (1) is carried out by educators, education personnel, government officials, and/or the community.

In today's era, the Child Protection Law is like a minefield that can hold teachers back from their profession, or even be used as a tool to criminalize them. Therefore, schools must organize or encourage teachers to participate in outreach programs on legal protection for the legal issues they encounter while carrying out their professional duties, such as those organized by Lembaga Konsultasi dan Bantuan Hukum (LKBH PGRI) or the Legal Consultation and Aid Institute of Central Java. The findings indicate that teachers' comprehension and implementation of the code of ethics significantly influence their professional conduct and the overall quality of education. This aligns with [Hargreaves and Fullan \(2012\)](#) and [Zhao \(2018\)](#), who emphasize that ethical competence is an integral component of teacher professionalism that directly affects students' moral and behavioral development. Similarly, [Dillabough \(2018\)](#) and [Matnuh \(2018\)](#) highlight that teachers who internalize ethical principles serve as moral exemplars, shaping students' integrity and civic responsibility through their conduct.

However, this study provides a distinctive empirical contribution by demonstrating that ethical literacy among teachers in rural or semi-urban Indonesian schools—such as those in the Clering cluster—is not only a professional obligation but also a protective legal mechanism. While previous research has largely discussed ethical practice from a pedagogical or moral-educational perspective ([Koval et al., 2022](#); [Bucoy et al., 2024](#)), this study extends the discussion into the juridical dimension, illustrating how adherence to ethical standards functions as a preventive measure against potential legal conflicts arising from disciplinary practices. In contrast to earlier studies conducted in Western contexts, which generally focus on teachers' ethical autonomy ([Fogelgarn & Burns, 2019](#)), this research reveals that Indonesian teachers often face external pressures from parents and communities that can constrain professional judgment. This finding aligns with [Monica \(2023\)](#), who observed that teachers' lack of legal literacy increases their vulnerability to criminalization under the Child Protection Law. Therefore, strengthening ethical and legal literacy simultaneously is essential to safeguard teachers' professional autonomy while ensuring students' rights are respected.

The scientific contribution of this research lies in integrating ethical professionalism with educational and behavioral theory, demonstrating that adherence to ethical standards enhances both legal accountability and educational outcomes. By framing ethical literacy as both a pedagogical and juridical instrument, this study advances the discourse on teacher protection in Indonesia's legal and educational systems. Consequently, these findings provide a theoretical and practical foundation for incorporating ethical literacy and legal awareness into teacher education curricula and regulatory standards, complementing the frameworks suggested by previous international studies while contextualizing them within Indonesia's socio-legal realities.

Research limitations regarding legal protection for the teaching profession in the student disciplinary process warrant serious consideration. This study has several limitations that may affect

the results and conclusions drawn. First, the limited number of respondents, involving only a small number of teachers and students, may reduce the generalizability of the findings. Furthermore, limited access to information on regional-level educational policies and legal protections, particularly in the cluster of public elementary schools in Clering Village, Donorojo District, Jepara Regency, also poses a challenge. This can lead to a lack of a comprehensive understanding of teachers' rights and obligations in carrying out student disciplinary duties. Furthermore, local cultural factors that influence interactions between teachers and students may also be variables that were not fully identified in this study. Limited time and resources are available for in-depth field research, which poses a constraint and may mean the analysis does not fully cover all relevant aspects.

CONCLUSION

This study concludes that the legal protection afforded to teachers in administering disciplinary measures toward students is multifaceted and varies across jurisdictions. The findings indicate that the existing legal framework—principally Law Number 14 of 2005 concerning Teachers and Lecturers and Government Regulation Number 74 of 2008 concerning Teachers—provides a normative basis for safeguarding teachers' professional duties. These legal instruments aim to uphold fairness, prevent unjust criminalization, and preserve teachers' professional autonomy while protecting students' rights and well-being. Empirical evidence from public elementary school clusters in Clering reveals that inadequate understanding of legal provisions and disciplinary boundaries often exposes teachers to potential legal disputes. Therefore, sustained legal education and professional development are essential to strengthen teachers' legal literacy and ensure lawful, ethical disciplinary practices. The novelty of this research lies in its empirical examination of teacher protection within the specific context of disciplinary measures at the elementary level, offering new insights into how legal safeguards function in practice and proposing strengthening legal frameworks to prevent teacher criminalization in Indonesia's education system.

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