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Consumer Protection for High School Students with Disabilities: Between Practice and Context

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Abstract:

Background: In fact, there are still many students with disabilities who do not get their rights in schools with adequate facilities and infrastructure.

Purpose: This study examines how consumer protection efforts are carried out by four (4) high schools in North Bekasi District based on Bekasi Regional Regulation Number 16 of 2019 concerning the Protection and Fulfilment of the Rights of Persons with Disabilities and Consumer Protection Obstacles faced by four high schools in North Bekasi District based on Bekasi Regional Regulation Number 16 of 2019.

Methods: This research is normative, based on secondary and primary data gathered through direct interviews with the authorities in four (4) high schools in Bekasi.

Findings: The interesting findings are that consumer protection efforts to protect and fulfill the rights of persons with disabilities are still not fully implemented. Related, the fulfillment of the right to inclusive education has been fully implemented but is inversely proportional to the implementation of accessibility. The obstacles faced in realizing consumer protection for students with disabilities are in fulfilling accessibility, both non-physical and physical accessibility.

Conclusions: This study shows that although consumer protection efforts to fulfill the rights of persons with disabilities in four high schools in North Bekasi District have been carried out, their implementations are still not fully effective, especially for accessibility. Although the right to inclusive education has been fulfilled, significant challenges remain in ensuring adequate physical and non-physical accessibility.

Research implication: The study is expected to provide input to the local government of Bekasi and other local governments on paying attention to the rights of people with disabilities in schools, both facilities and pre-facilities, to provide comfort and the rights of citizens as mandated in the constitution of justice for the entire nation of Indonesia.

Keywords: consumer, disabilities, high school, human rights, local regulation, protecting

JEL Classification: D18, P36, K36



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PUBLIC INTEREST STATEMENT

Consumer protection efforts carried out by 4 (four) Senior High Schools (SMA) in North Bekasi District, Bekasi City, namely SMAN 14, SMAN 4, SMA IT Gema Nurani, and SMA Islam Al-Azhar 8 Summarecon Bekasi, in the implementation of Bekasi City Regional Regulation Number 16 of 2019 concerning the Protection and Fulfilment of the Rights of Persons with Disabilities have not been fully implemented.

Some of the obstacles faced by the four high schools in implementing consumer protection for students with disabilities, as stipulated in Bekasi City Regional Regulation Number 16 of 2019, are obstacles in fulfilling accessibility, both physical and non-physical.

Bekasi City Regional Regulation Number 16 of 2019 should be revised to include clear sanctions for schools and government entities that do not comply with the requirements for providing accessibility for students with disabilities. A periodic monitoring and evaluation system, including periodic inspections and feedback mechanisms for continuous improvement, is also necessary to assess the implementation of accessibility and inclusive education in schools.

The government must develop and disseminate clear technical guidelines and standards for schools to implement accessibility for students with disabilities, including physical and non-physical accessibility. Local governments also need to allocate special funding to support the development of school accessibility infrastructure, such as ramps, accessible toilets, and other facilities.



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1. Introduction

The Government of Indonesia has demonstrated its commitment to protecting, promoting, and fulfilling the rights of persons with disabilities through Law No. 19 of 2011, which ratifies the Convention on the Rights of Persons With Disabilities (CPRD). This legislation aims to support the independence and well-being of individuals with disabilities (Lestari et al., 2017). Furthermore, the Law of the Republic of Indonesia, Number 8 of 2016 (UUPD), guarantees the right to inclusive and special education for persons with disabilities. Article 10 mandates explicitly that individuals with disabilities have the right to access education tailored to their needs, ensuring equal opportunities across all educational settings.

Article 27 also states that "the tasks of planning, implementation, and evaluation related to the implementation of protection and the fulfillment of the rights of Persons with Disabilities are borne by the government and local governments" (Sulistyadi, 2014). The quality and availability of education have shown progress, as evidenced by the increasing number of national and international schools established by the government and private sectors, ranging from primary to secondary education (Ilham & Suradi, 2016).

The Bekasi City Regional Government has made Regional Regulation Number 16 of 2019 concerning the Protection and Fulfilment of the Rights of Persons with Disabilities (from now on referred to as Regional Regulation No. 16/2019) to ensure the implementation of respect, protection, and fulfillment of the rights of persons with disabilities in the region (Aktar, 2017). Article 16 in Regional Regulation No. 16/2019 affirms that "students with disabilities have the right to receive a quality education in all types, pathways, and levels of education inclusively, and in particular, the realisation of this article can fulfill the rights of these students as consumers" (Setiawan & Setyowati, 2020).

Students with disabilities are entitled to accessible school facilities, as mandated by Article 40 of Regional Regulation No. 16/2019. These facilities include ramps, handrails, and accessible pedestrian access/pathways to ensure safety and ease of mobility for students with disabilities. This is a form of preventive protection. However, in practice, Law No. 8 of 1999 concerning Consumer Protection (from now on referred to as UUPK) and Regional Regulation No. 16/2019 is not always effectively implemented. Article 34 of Regional Regulation No. 16/2019 has mandated that every school provide accessibility for students with disabilities (Khalil et al., 2024).

This study underscores the urgency of addressing these shortcomings. In Indonesia, consumer protection efforts have traditionally focused on the commercial sector, leaving vulnerable groups, such as students with disabilities, with insufficient attention (Tan et al., 2023). This research highlights the urgent need to understand whether their rights as consumers in the education sector have been met, especially in accessing inclusive and equitable education services (Shi et al., 2022). It examines whether education policies in urban areas, specifically in North Bekasi, align with the principles of inclusivity and protection for persons with disabilities. This urgency is crucial to ensure that students with disabilities have equal access to adequate facilities, technology, and learning environments and to provide better policy input in improving consumer protection for students with disabilities, as well as supporting the implementation of inclusive education in line with existing regulations.

In line with the consumer rights theory (Chang & Yang, 2022), consumers have rights that need to be protected, such as the rights to security, information, voting, and being heard. For students with disabilities, these rights translate into access to suitable educational services, facilities tailored to their needs, and transparent information about

their rights within the education sector. Similarly, social inclusion theory (Mirzoev et al., 2022) highlights the importance of enabling marginalised groups, such as individuals with disabilities, to participate fully in society. Students with disabilities can be integrated into the general education system with appropriate support. In social justice theory (Domingo-Martos et al., 2024), it is a fair distribution of resources, opportunities, and rights in society. Thus, it is essential to provide fair treatment to students with disabilities regarding access to education, facilities, and legal protection.

The novelty in the context of this study lies in several aspects. This research focuses on a specific region, namely North Bekasi. This provides added value because it can explore problems that may be specific or more prominent in this region than in other areas. This research analysis was based on theory and considers actual practice in the field. It is essential to understand how existing policies or regulations are implemented realistically and how local contexts affect their implementation. By addressing consumer protection, education, and disability within an interdisciplinary framework, the study proposes comprehensive solutions to these challenges.

The purpose of this research is as follows 1) how to protect consumers of students with disabilities in getting an education; 2) how are consumer protection efforts carried out by four Senior High School (SMA) in North Bekasi District, Bekasi City, based on Regional Regulation No. 16/2019; and what the obstacles faced by four SMA in North Bekasi District, Bekasi City in implementing the regional regulations?

2. Literature Review

2.1 Consumer Protection Theory

This study examined the relevance of Consumer Protection Theory in protecting high school students with disabilities. This theory focuses on consumer rights and the responsibility of service providers to provide products and services that are fair, transparent, and non-deceptive. Within the educational context, this translates to a responsibility for schools and institutions to ensure that their services, including curricula and support systems, are accessible and tailored to the unique needs of students with disabilities (Sanetra-Połgrabi, 2022). This study explores the extent to which educational institutions have fulfilled this responsibility and how it affects students with disabilities access to quality education.

Students with disabilities often require specialised resources and accommodations that differ significantly from those needed by their non-disabled peers. Therefore, the application of consumer protection theory in this study is used to evaluate whether educational products and services, such as curriculum, learning aids, and additional support, have been designed with these specific needs in mind. Surveys and interviews conducted with students, parents, and educators revealed persistent shortcomings, including insufficient access to necessary tools and inconsistent provision of support services (Gustavsson et al., 2021).

Furthermore, the study also identifies unfair business practices in the context of education. For example, some educational institutions charge extra for services that should be provided free of charge to students with disabilities (Mason-Williams et al., 2020). Such discriminatory practices create barriers that hinder students' access to quality education. This research explores the impact of these policies and practices on students' access to and learning experiences and how they can affect their academic and social development.

Using consumer protection theory as a framework, the study proposes several policy recommendations to enhance the protection of students with disabilities. These recommendations include advocating for stricter laws that protect students' rights and ensure they get services that fit their needs. This research also emphasises the importance of training for educators and school staff to understand and meet the needs of students with disabilities, thereby creating a more inclusive learning environment (Tremmel et al., 2020).

This research highlights the importance of consumer education among students with disabilities. By providing accurate information about their rights and how to access the services they need, students can better stand up for themselves and make better educational decisions. This research is expected to increase awareness about the rights of students with disabilities in the context of education and encourage positive change in the education system, thereby creating a more inclusive and supportive environment for all students.

2.2 Consumer Protection of Students with Disabilities in Getting Education

The classification of persons with disabilities in Indonesia is outlined and regulated in Article 4 of the UUPD, such as a) physical disabilities, b) sensory disabilities, c) intellectual disabilities, and d) mental or psychological disabilities (Pawestri, 2017). People with disabilities are entitled to the same fundamental human rights as everyone else, including the right to education. In Indonesia, academic units offer three educational paths, namely formal (school), non-formal, and informal, stipulated in Article 1 number 10 of Law No. 20 of 2003 concerning the National Education System. While individuals with disabilities are often perceived to face physical, mental, and emotional limitations, they have the opportunity to participate in public education provided they meet the criteria outlined in the national curriculum (Pangestuti & Pribadi, 2022).

Indonesia promotes inclusive education for people with disabilities by Article 10 of the Constitution and the Regulation of the Minister of National Education Number 70 of 2009 concerning Inclusive Education for Students Who Have Disabilities and Have Special Intelligence and Talent Potential (Anggraini et al., 2024). According to Article 1 of this Ministerial Regulation, inclusive education provides opportunities for all students with special disabilities, intelligence potential, and/or talents to participate in education and learning together with other students in the same educational environment. Inclusive education allows all children with special needs to learn alongside their peers in regular classes at nearby schools (Jauhari, 2017).

According to Article 1, number 8 of the UUPD, accessibility refers to providing equitable opportunities for persons with disabilities. Accessibility can be classified into physical and non-physical accessibility. On the other hand, regarding infrastructure, accessibility means creating environments and conditions that enable persons with disabilities to independently utilise facilities, including those in educational settings. In this context, "person with a disability" refers to someone with physical, mental, intellectual, and sensory limitations (Hayati & Achmad, 2019).

Article 99 of the Constitution regulates the government's obligation to ensure accessibility for persons with disabilities (Suherman et al., 2023). The provision regulates the following obligations: in the application for a building permit, the government must include the availability of facilities that are easily accessible to persons with disabilities; audits of the availability of accessibility facilities; functional feasibility checks on the

availability of accessibility facilities; and the mechanism for auditing accessibility facilities.

Everyone who uses and visits the building has the same right to gain access and carry out their activities easily, comfortably, safely, and independently in and around the building. The government issued Regulation of the Minister of Public Works and Public Housing Number 14 of 2017 concerning Building Ease Requirements where Article 55 mandates that accessibility be incorporated into structures based on their socio-cultural functions, categorising schools as facilities requiring such adaptations (Pallotta et al., 2021). Article 34 in Bekasi City Regional Regulation Number 16 of 2019, where the provision of accessibility can be in physical form, including access to, from, and inside the building in the form of pedestrians and ramps; doors, stairs, and elevators specifically for multi-story buildings; parking lots and passenger boarding and disembarking areas; seating/resting; handrail; toilet; drinking places; telephone place; emergency alerts; and signs or signage.

The responsibility for ensuring the educational rights of persons with disabilities lies not only with the government but also with business entities providing educational services. A non-binding international instrument, the "United Nations Guidelines for Consumer Protection (abbreviated as UNGCP)", regulates matters related to state policies, ineffective consumer protection, consumer welfare enforcement institutions, and how to handle consumer complaints (Khan et al., 2023).

2.3 Responsibilities of Business Actors

The responsibilities of business actors are defined and restricted by formal legal frameworks, including legislation and civil law agreements. In civil law, liability can arise through fault or risk associated with a legal position. Article 19 of the Consumer Protection Law (UUPK) outlines the general obligations of business actors when their actions cause harm to consumers. These obligations are grounded in several key legal principles:

1. The Principle of Liability Based on Fault is a person or entity is legally liable for harm caused by intentional wrongdoing or negligence (Peráček & Kaššaj, 2023). This concept presumes liability arises only when malicious intent or negligence is proven. Article 1365 of the Civil Code states that every act that violates the law and causes harm to another person results in the obligation to compensate for such damages (Marchisio, 2021).
2. The Principle of Presumption of Liability is a legal concept that states that a person or company is legally responsible for damages without requiring proof of fault or negligence (Caturjayanti et al., 2022). This principle is because certain activities have inherent risks attached, and by doing such activities, a person or company must accept the legal consequences of those risks. The rationale is that individuals or companies undertaking such activities accept the legal consequences of associated risks. This concept differs from the legal principle of presumption of innocence, a fundamental principle in the criminal justice system stating that every person accused of a criminal act is presumed innocent until there is valid and convincing evidence that shows otherwise.
3. The Principle of Presumption of Non-liability is a principle that states that a company is not legally responsible for an event or loss that occurs if it can prove that it has taken adequate precautions to prevent the occurrence of such event or loss. For example, a transportation service provider may warn passengers to safeguard their belongings, thereby limiting liability in case of loss (Yuanitasari et al., 2023).
4. The Principle of Strict Liability is a legal concept that states that a person or company is legally responsible for losses caused by their activities or products, regardless of

fault or negligence in carrying out such activities. This principle applies to high-risk activities or products with inherent dangers, mandating that those engaging in such activities or producing such goods accept legal accountability for associated risks (De Oliveira et al., 2021).

5. The Principle of Limitation of Liability is a legal principle that limits the amount of losses that must be borne by a company in a particular activity or product, even though they are responsible for such losses (Wagner, 2023). In this case, the principle of liability with limitation is often applied in agreements between parties involved in a particular activity or product, where the amount of losses to be borne by the responsible party is predetermined and limited by the value or capital owned by the party. Consumer Protection Law Number 8 of 1999 prohibits the determination of clauses that are detrimental to consumers, including maximum limitations on liability (Mak & Terryn, 2020).

Guidance on implementing consumer protection is one of the structural aspects needed to ensure that the objectives of establishing the law can be achieved with various things considered to provide obstacles that can be overcome gradually. Article 29 of the Consumer Protection Law (UUPK) requires the government to guide consumer protection. This guidance includes defining the obligations of entrepreneurs or producers to guarantee the quality of goods and services. Encouraging good business practices to foster a healthy relationship between business actors and consumers (Hollebeek & Macky, 2019).

3. Conceptual Framework

The research framework for assessing consumer protection for high school students with disabilities in North Bekasi highlights the critical need to bridge the gap between regulatory provisions and practical implementation (Figure 1). By focusing on the adherence to Bekasi City Regional Regulation Number 16 of 2019, this study aims to evaluate how well local high schools are fulfilling their legal obligations to provide inclusive education. The framework will utilise a qualitative approach, incorporating interviews, document analysis, and observations to gather comprehensive insights into the challenges and successes experienced by schools in meeting accessibility and educational quality standards.

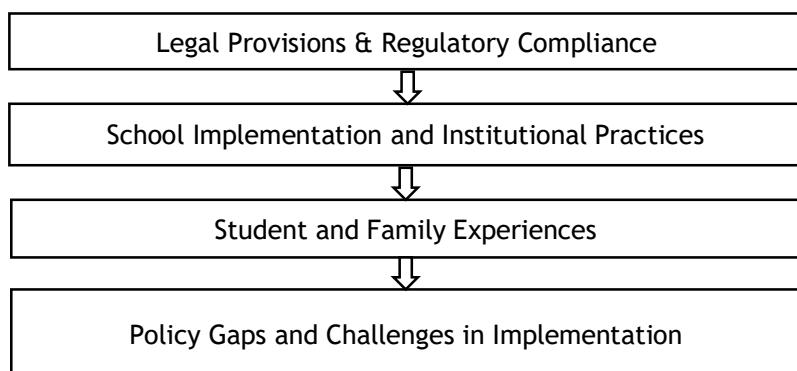


Figure 1. Conceptual framework consumer protection for high school students with disabilities in North Bekasi: between practice and context

4. Methods

4.1 Research Design

This study employed a qualitative research methodology with a case study approach, focusing on selected schools in North Bekasi (Priya, 2021). This research was conducted

over two months, with data collection carried out through multiple face-to-face meetings and the use of technology-based communication. During the research, observations and interviews were conducted with various stakeholders, including students, principals, teachers, and academic experts.

4.2 Sampling

A purposive sampling technique was used to select the study participants. Four schools in Bekasi were chosen: SMAN 14, SMAN 4, SMA IT Gema Nurani, and SMA Islam Al-Azhar 8 (Shen et al., 2024). These schools were selected because they are among the few that have students with disabilities, making them particularly relevant for the research focus. Afterward, the selection process involved obtaining necessary permissions from school authorities. Participants were then determined based on specific criteria: Enrollment as a student with a disability at one of the selected schools. A willingness to participate in the study. The study included a diverse range of disabilities, such as physical, intellectual, or sensory. Informed consent was obtained from all participants or their guardians in cases where the participants were minors. This purposive sampling allowed for a focused exploration of the research question, ensuring that the data collected was reliable and directly relevant.

4.3 Measurement

In this study, data analysis was conducted using thematic analysis techniques to identify patterns and key themes from interviews and observations (Finkelstein et al., 2021). The process included: Each interview transcript will be encoded to highlight important information related to regulatory compliance and the implementation of inclusive education. In addition, data from various sources, such as interviews, observations, and school documents, will be integrated to provide a comprehensive picture of the school's compliance level. For example, insights from interviews with principals and teachers compared with physical observations (e.g., ramps, accessible toilets). Analysis of school documents, such as curricula and policies, to verify compliance with inclusive education regulations. This triangulation approach helps ensure the validity of the data. It provides a more holistic understanding of how effective schools in North Bekasi are in fulfilling the rights of students with disabilities per applicable Regional Regulations.

4.4 Data Collection

Data triangulation was a critical component of the research, involving multiple sources and methods, including interviews, observations, and document analysis (Ye et al., 2021). Furthermore, by integrating these perspectives, the study minimized bias and presented a detailed and accurate understanding of the realities faced by students with disabilities. Interviews with teachers can provide insight into existing policies and practices, while students can share their first-hand experiences. On the other hand, parents can offer perspective on the support they provide and their challenges (Figure 2).

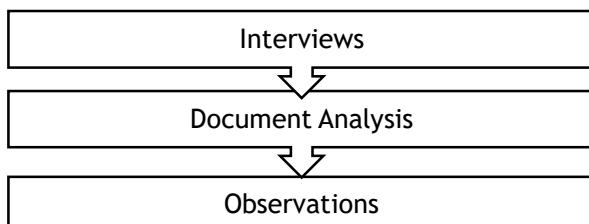


Figure 2. Data collection process

4.5 Data Analysis

The researchers used a thematic analysis approach (Ali, 2021). The analysis process begins with data collection through interviews, observations, and document analysis. Once the data is collected, the researcher will do open coding, where each data segment is identified and labeled based on the meaning or idea that emerges. After the open coding stage, the researcher will proceed to axial coding to group interrelated themes and develop relationships between the identified categories. This process was done manually to ensure a deep understanding of the context.

5. Findings

5.1 Efforts to Protect Students with Disabilities by Four High Schools in North Bekasi District, Bekasi City, Based on Bekasi City Regulation Number 16 of 2019.

Inclusive education enables all children with special needs to learn alongside their peers in regular classrooms at nearby schools. The aim is to provide broad opportunities for children with special needs to obtain an education that embraces diversity and eliminates discrimination. Because inclusive education has been implemented in the 4 (four) high schools that are the object of this research, the right to accessibility should also be implemented in Article 25 letter b of Bekasi City Regional Regulation Number 16 of 2019. This regulation emphasizes the need for appropriate accommodations as a form of accessibility, ensuring the rights of individuals with disabilities as consumers are protected.

The provision of accessibility in schools is also supported by the principles contained in Article 2 of the Consumer Protection Law (UUPK), namely that business actors are obligated to ensure the safety and security of consumers, minimizing risks or potential harm. Also, the principle of justice is intended to emphasize fairness and encourage the active participation of all stakeholders, including both consumers and business actors, in fulfilling their respective rights and responsibilities. This principle of justice will create justice for all parties involved, especially for students with disabilities (Stein & Stein, 2022). However, in its application, the UUPK does not directly regulate the rights of consumers with disabilities so that the principle of justice can still be implemented; there is Article 64 UUPK, namely that provisions outside the UUPK remain in effect as long as they are not explicitly regulated in the UUPK and/or do not conflict with the UUPK (Holijah, 2020).

Based on the results of interviews and observations at SMAN 14, SMAN 4, SMA IT Gema Nurani, and SMA Islam Al-Azhar 8 Summarecon Bekasi, there have been various efforts made by these schools to create justice and protect the rights of students with disabilities. However, some of these efforts remain general and could benefit from more detailed implementation. For instance, at SMAN 14, the principal explained, "*We have provided wheelchair-only lanes in each building, and we have also trained teachers to be more sensitive to the needs of students with disabilities*" (Principal, SMAN 14). However, he acknowledged that other accessibilities, such as special toilets and adjustments to learning facilities, are still in development. Similarly, at SMAN 4, the school has implemented inclusive classrooms where students with disabilities are integrated with other students, supported by teacher assistants who provide specific assistance. One teacher shared, "*We have designed inclusive classes where the teacher assistants play a crucial role in helping students with disabilities learn alongside their peers*" (Teacher, SMAN 4). SMA IT Gema Nurani shows its commitment by conducting annual evaluations of accessibility facilities to ensure that they meet the needs of students with disabilities. The school's head teacher stated, "*Every year, we assess the*

condition of our facilities, and we make adjustments to ensure that they are accessible for all students" (Head Teacher, SMA IT Gema Nurani). Meanwhile, at SMA Islam Al-Azhar 8, the school collaborates with educational psychologists to support students with disabilities both academically and socially. The counsellor at Al-Azhar remarked, "We work closely with educational psychologists to provide not just academic support but also help students with disabilities integrate socially" (Counselor, SMA Islam Al-Azhar 8). Despite ongoing efforts, some schools continue to face challenges in fully complying with relevant regulations, particularly in providing specialized training for teachers and making necessary infrastructure adjustments. One teacher at SMAN 4 admitted, "We still need more training on how to adapt our teaching methods for students with disabilities" (Teacher, SMAN 4). While individual schools have made concrete steps toward promoting inclusivity, there remains significant room for improvement. Stricter enforcement of regulations, particularly in areas like teacher training and infrastructure modifications, is essential to create a truly inclusive learning environment.

5.1.1 Bekasi State High School of 14

Based on an interview with the school representative, the physical accessibility of SMAN 14 Kota Bekasi is limited to sidewalks and ramps, which only partially comply with the provisions outlined in Article 35 of Regional Regulation No. 16/2019, which states, "accessibility in buildings implemented by providing pedestrians and ramps; elevator; handrails; special toilet; signs or signage (Gumińska et al., 2023). In addition to its limited physical accessibility, SMAN 14 provides non-physical accessibility in the form of an assignment control book. This tool helps track student progress and identify the specific needs of students with disabilities. According to the school representative, *'This control book allows parents to monitor their child's progress, including tracking assignments that have been given and completed.'* The representative further explained, *'Through this system, parents can stay informed about what their child is working on and any additional support that may be needed to help the student succeed'.*

The school has made efforts to fulfil its obligations under Article 7 Letter C of the UUPK: treating or serving consumers correctly, honestly, and non-discriminatorily by providing an alternative collaboration with parents. According to the representative, *'The school aims to ensure that students with disabilities can participate in learning by utilising the control book, which enables both students and parents to monitor progress and participation effectively.'* The representative explained, *'Parents must follow the school's instructions by regularly checking the control book to ensure the method works well.'* Additionally, as stated in Article 5, Letter A of the UUPK, parents must also fulfil their obligations as consumers by adhering to the information and procedural instructions provided by the school. Moreover, under Article 4 Letter D of the UUPK, parents are entitled to provide feedback if the control book method proves ineffective, enabling the school to improve its services. While SMA 14 Bekasi has tried to offer good non-physical accessibility through control books, physical accessibility improvements are still urgently needed. As the school does not have specific criteria for the types of disabilities that can participate in inclusive education, all students with disabilities should be accommodated to ensure true inclusivity (Kauffman et al., 2022).

5.1.2 Bekasi State High School of 4

SMA Negeri 4 has physical accessibility through pedestrians and ramps designed to facilitate students with physical disabilities who use wheelchairs, as the school does not have lift facilities. According to the representative, *'The school strives to ensure that the rights of students with disabilities as consumers are still fulfilled by placing these students in classes on the ground floor, ensuring easy access to, from, and within the*

building.' Additionally, the school has facilities in the form of special toilets for people with physical disabilities who use wheelchairs. The school representative explained, *'The toilets are equipped with handrails on the walls, and at the entrance, there are pedestrian paths and ramps to ensure that wheelchairs can enter the toilet'* (Szumski et al., 2022).

Based on this, the authors assume that SMA Negeri 4 has fulfilled the physical accessibility provisions stipulated in Article 35 of Bekasi City Regional Regulation Number 16 of 2019 by providing pedestrian and ramp facilities and special toilets for students with disabilities and providing alternatives to students with disabilities by placing them on the ground floor to make it easier for students. Indirectly, SMA Negeri 4 has treated or served consumers correctly and honestly and is not discriminatory by Article 7 Letter C of the GCPL Law.

However, efforts to protect consumer rights to be treated correctly, honestly, and non-discriminatory per Article 4 letter g of the GCPL are still not optimal. According to interviews with school representatives, the school places significant emphasis on fostering student independence. As stated by the school representative, *'The school prioritises student independence, such as students being able to manage study time independently, take full responsibility for the learning process, face academic challenges diligently, and manage tasks and responsibilities efficiently due to the difficulty of controlling the number of students in the school'* (Lid et al., 2024). However, this approach does not fully address the rights of students with disabilities, who often require special assistance, particularly those with sensory or intellectual disabilities. This is particularly concerning as the school may admit students with intellectual disabilities, which is in line with the regulations on inclusive education found in Article 16(a) of Bekasi City Regional Regulation Number 16 of 2019.

5.1.3 Gema Nurani High School

Based on the author's interview with the informant, there are students with disabilities who attend this school. Still, the school does not have accessibility for students with disabilities, both physical and non-physical, as required by Article 34 of Bekasi City Regional Regulation Number 16 of 2019 concerning the Protection and Fulfilment of the Rights of Persons with Disabilities. According to the school representative, *'While there are students with disabilities enrolled at the school, the current facilities do not meet the accessibility standards outlined in the regulation.'* The school representative further mentioned, *'The student is still considered capable of using the existing facilities, as we have not yet introduced any specialised accommodations.'*

According to the authors, while students with disabilities can use the existing facilities, their rights as consumers are not entirely fulfilled, particularly those stipulated in Article 4 letter a of the GCPL, which guarantees the right to comfort, security, and safety in using services. Although there is no physical accessibility such as ramps or lifts as stipulated in Article 35 of Bekasi City Regional Regulation Number 16 of 2019, schools can still find other alternatives, such as placing the student at the bottom of the building so that the right to comfort and safety is still obtained (Antala et al., 2022) The GCPL regulates business actors' responsibility from Article 19 to Article 28, which states that business actors are responsible for providing compensation if they are proven to cause harm to consumers.

This is associated with the principle of strict liability, which states that business actors are legally responsible for losses caused by their activities or products, regardless of fault or negligence in carrying out these activities. In this case, the principle is since certain

businesses have inherent, intrinsic risks and business actors must accept the legal consequences of these risks; based on this principle, schools should anticipate or provide preventive protection before any losses by making accessibility for students with disabilities, considering that there are regulations governing accessibility and inclusive schools. This school also accepts people with disabilities (Delgado-Gil et al., 2023).

However, based on interviews conducted by the authors, the school does not prohibit students with disabilities from attending this high school. In an interview, the school representative said, *'The school does not have a policy to reject students with disabilities, but students with disabilities must be willing to accept the existing shortcomings, especially the lack of facilities such as a lift to the 4th floor.'* The participant further explained that "this issue is then communicated back to the parents, as the school does not currently have the resources to support students needing access to the upper floors."

This lack of awareness and preparedness in providing accessibility not only affects students with permanent disabilities but also poses challenges for those who may become temporarily disabled due to accidents; there are consumer rights that are still not well implemented, as stated in Article 4 of the GCPL, namely the right to comfort, security and safety in consuming goods and/or services; the right to correct, transparent and honest information about the condition and guarantee of goods and/or services; the right to be treated or served correctly and honestly and non-discriminatory.

5.1.4 Islam Al-Azhar 8 Summarecon Bekasi High School

SMA Islam Al-Azhar 8 Summarecon Bekasi has provided most of the required physical and non-physical accessibility, including pedestrian paths, ramps, elevators, and special toilets. However, this school still does not have guiding blocks/guiding paths intended for people with sensory disabilities. Based on the interview with one of the teachers in Islam Al-Azhar Summarecon Bekasi High School, it was revealed that *'the school accepts all types of disabilities and does not limit the number of students with disabilities who wish to attend.'* Given the absence of such restrictions, it is crucial that the school immediately adds the necessary accessibility features, particularly for sensory disabilities. Without these additions, the school risks failing to fulfill its obligations as a business actor to provide clear, correct, and honest information about the condition of its services, as outlined in Article 7(b) of the GCPL Law, which could lead to a violation of consumer rights."

Table 1. Data on students with disabilities and accessibility

High School Name	Physical Disability	Sensory Disability	Intellectual Disability	Mental disability	Owned accessibility
14 High School	-	-	3	-	Ramp and pedestrianisation, and control book as non-physical accessibility
4 High School	1	-	-	-	Ramp and pedestrianisation, Special Toilet
IT Gema Nurani School	1	-	-	-	No Accessibility
Islam Al-Azhar 8 Summarecon Bekasi, High School	2	-	1	1	Ramp and pedestrianisation, Special Toilet, lift, passenger boarding and alighting area

6. Discussion

6.1 Obstacles to the Protection of Students with Disabilities Faced by 4 High Schools in North Bekasi Districts

Despite the efforts made in consumer protection, especially for persons with disabilities (Liu et al., 2023), significant obstacles remain in ensuring fairness and consumer satisfaction in education. This paper will outline the challenges faced by the high schools that are the object of research. Based on interview data obtained by the authors from the four high schools that are the object of this research, the obstacles faced have some similarities, especially in the lack of teaching staff (teachers) who can handle students with disabilities, especially those with sensory disabilities, even the number of students with disabilities may appear small, but this often underrepresents the proper scale, as many disabilities go undiagnosed or underreported. The real issue lies in the lack of specialized teaching staff, training, and resources to support these students effectively. Sensory disabilities are disorders that occur in one of the senses, such as vision or hearing problems, namely blindness or deafness, deafness, or hearing impairment. Although from the data obtained by the authors, there is not a single school that has students with sensory disabilities, with the regulation on inclusive education stipulated in Article 16 letter a of Bekasi City Regional Regulation Number 16 of 2019, students with sensory disabilities can attend public schools.

This inclusive school regulation might prevent students with disabilities from getting the proper support if teachers are not adequately trained to educate and assist them, which will have an impact on the decline in the achievement of students with disabilities (Danemayer et al., 2023). Article 71 of Bekasi City Regional Regulation Number 16 of 2019 states, "The Mayor or a designated official conducts coaching in the context of the Protection and Fulfilment of the Rights of Persons with Disabilities." The guidance referred to in this article is guidance, counselling, and establishing technical guidelines. Based on this article and the facts that the authors found from interviews with 4 (four) high schools that were the object of research, only guidance and counselling teachers were given exceptional teaching. Meanwhile, in this inclusive school, all teachers must participate because there is no difference between students with disabilities and others. This means that Article 71 of Bekasi City Regional Regulation Number 16 of 2019 has not been appropriately implemented.

In addition to the lack of teaching staff trained to educate students with disabilities, another significant challenge is the absence of criteria for determining which disabilities are best suited for inclusive education. Currently, all types of disabilities are eligible for participation. Although there is a limit to the number of students with disabilities who can participate (Mark et al., 2019). If the teaching staff (teachers) are not able to educate correctly, it will only hinder the development of these students and the right as a consumer to be treated or served correctly, stated in Article 4 letter g of the GCPL, cannot be implemented.

Another critical obstacle lies in ensuring accessibility for students with disabilities as consumers of educational services. One of these is the non-implementation of special rules regarding persons with disabilities in the GCPL, such as Article 11 Letter A of the UNGCP, which regulates that businesses must provide fair, equitable, and honest treatment to consumers at all stages of their relationship. So, this principle requires that organizations, including schools, avoid practices that harm or disadvantage consumers, particularly those with disabilities (Mak & Terryn, 2020).

6.2 The Condition of Physical and Non-Physical Facilities in the 4 (four) High Schools in North Bekasi District

Based on the interview data obtained, there is still a lot of accessibility that has not been implemented in the 4 (four) high schools in North Bekasi District, both in the form of physical and non-physical accessibility (Cohen et al., 2023). The imbalance between the facilities and the implementation of the existing education programme, the programme still cannot run optimally, coupled with the lack of non-physical accessibility such as exceptional teaching staff at the 4 (four) high schools in North Bekasi District, which are the object of this research, adding to the non-optimal inclusive programme.

There are also infrastructure cost constraints in building this accessibility. Schools do not have sufficient funds to meet all the accessibility requirements specified in Bekasi City Regional Regulation Number 16 of 2019 because there are no restrictions on the criteria for students with disabilities who can participate in inclusive education. This is compounded by the absence of clear criteria for determining which students with disabilities can participate in inclusive education and which schools should implement this inclusive program. An interview with one of the high schools that were the object of the research stated that "let alone for students with disabilities, our facilities for normal students are still in the process stage." The data obtained by the authors indicates that some schools have only one student with a disability. Suppose all schools are mandated to implement inclusive education. In that case, it may place an undue financial burden on them to provide all the required facilities, especially when facilities for regular students are still under development.

Accessibility development is further regulated in Article 99 of Law No. 8/2016 on Persons with Disabilities. This law mandates that the government include accessibility requirements in the building establishment permit process. In addition, the government is responsible for auditing accessibility facilities and inspecting their functionality and feasibility. Furthermore, the government must develop an audit mechanism related to accessibility facilities. When comparing the year of establishment of the four senior high schools and the requirement for the availability of facilities for persons with disabilities in the building construction permit, this requirement only came into effect after the four senior high schools were established.

Regarding the applicability of this facility availability requirement to buildings before this regulation was enacted, adjustments must be made in the building. This is not listed in the transitional provisions. Still, indirectly, the adjustment is regulated in Article 97 of Law No. 8 Year 2016 on Persons with Disabilities, namely, the Government is obliged to ensure the existence of infrastructure that is easily accessible to Persons with Disabilities, and Article 99 paragraph (2) requires the government to conduct an audit of the availability of Accessibility facilities for Persons with Disabilities in each building. Based on paragraph (3), accessibility is a requirement in the issuance and extension of building function certificates (González & Fernández, 2016), so the 4 (four) SMAs must adjust this regulation.

6.3 The Obtaining of Local Government in Implementing Article 29 of the GCPL Jo. Article 4 of Government Regulation No. 58/2001

Based on interviews conducted by the author with representatives from the four high schools that are the focus of this research, it was revealed that the government's role had not been fully optimised. This is evident from the inadequate implementation of Article 29 of the GCPL in conjunction with Article 4 of Government Regulation No. 58/2001, highlighting the government's insufficient responsibility in fostering consumer

protection. This includes ensuring the fulfilment of consumer and business rights and the enforcement of their respective obligations.

Moreover, the absence of specific sanctions in Bekasi City Regional Regulation Number 16 of 2019 for schools failing to provide accessibility has contributed to a lack of accountability in implementing inclusive education. As a result, accessibility is still undervalued, and there are no penalties for the government when it fails to carry out its supervisory function. The government is obligated to allocate a budget for the protection of persons with disabilities and to ensure effective guidance and supervision, as stated in Article 7 Letters e and f of Bekasi City Regional Regulation Number 16 of 2019. The absence of sanctions related to accessibility in the regulation has rendered its implementation largely ineffective.

To realize accessibility for students with disabilities and fulfill their rights as consumers, apart from implementing guidance and supervision and applying sanctions, accessibility can be supported by a specialized institution for consumer protection, such as the BPKN. This aligns with UN Resolution No. A/RES/39/248, dated 16 April 1985m on Consumer Protection, which was revised and adopted by "the General Assembly in resolution 70/186, dated 22 December 2015, as the "United Nations Guidelines for Consumer Protection". It formulates one of the basic interests of consumers contained in Article 5 letter h "namely the freedom to form consumer organisations or other relevant organisations and provide opportunities for these organisations to voice their opinions in decision making concerning their interests".

6.4 Managerial Implication

The findings of this study are expected to provide critical managerial implications for schools, local governments, and other stakeholders in the education sector. First, schools must enhance training for educators to address the needs of students with disabilities better. Such training should focus on understanding inclusive practices and adapting teaching methods for students with varying disabilities. Second, local governments should provide more detailed technical guidance and allocate specific funds to develop infrastructure that supports school accessibility, such as ramps, special toilets, and other facilities. This is vital to ensuring the fulfillment of the rights of students with disabilities as mandated by existing regulations. Third, it is crucial to establish partnerships between schools and non-governmental organisations (NGOs) or the private sector to overcome resource limitations. These partnerships can help provide additional training, facilities, or assistive technology needed to create a more inclusive learning environment.

6.5 Theoretical Contribution

The research is expected to make significant theoretical contributions in three key areas. First, it broadens the understanding of consumer protection theory in the context of education, especially for students with disabilities. By applying this theory to the context of inclusive education, this study shows that consumer protection is relevant not only in the commercial sector but also in the public service sector, such as education. Second, the study introduces a new framework for understanding the relationship between regulation, school implementation, and the experiences of students and their families. By analyzing the rules of the Bekasi area and their application in practice, this study bridges the gap between theory and practice, providing valuable insights into how regulations can be adapted to improve the experience of students with disabilities. Third, this research contributes to social inclusion and social justice literature by highlighting the importance of the equitable distribution of resources, opportunities, and treatment for students with disabilities in educational settings. This study provides empirical

evidence that inclusive policies and practices can have a significant positive impact on marginalized groups.

6.6 Limitations

The limitation of this study lies in its normative approach, focusing solely on existing implementations and regulations. Although the authors conducted field research, this study is limited to examining whether existing rules have been implemented in practice and whether amendments to the regulations are necessary, considering international, national, and local government regulations. This is particularly relevant to the development of Bekasi, especially concerning protecting and ensuring the rights of people with disabilities in schools. In addition, the research was conducted in only four schools in Bekasi, which limits its ability to draw conclusions applicable to all schools in the city. It is hoped that future research will adopt a more comprehensive approach, considering factors such as an extended research period, increased funding, and a broader scope of schools. This could include not only schools in Bekasi but also those in Jakarta or potentially across Indonesia, contributing to a more representative understanding.

7. Conclusion

Based on the analysis, it can be concluded that the efforts of four high schools in North Bekasi—SMAN 14, SMAN 4, SMA IT Gema Nurani, and SMA Islam Al-Azhar 8 Summarecon Bekasi—to implement Bekasi City Regional Regulation Number 16 of 2019 regarding the rights of persons with disabilities are not fully realised. While the fulfilment of the right to quality and inclusive education, as stated in Article 16(a), has been achieved, the application of accessibility, as mandated in Article 34, remains inadequate. Only one school has partially implemented physical and non-physical accessibility, which is insufficient due to the lack of sanctions for non-compliance with the regulation. The main obstacles these schools face include the shortage of trained teaching staff, the absence of government guidance and technical guidelines, unclear criteria for inclusive education eligibility, and insufficient accessibility infrastructure caused by funding limitations.

8. Recommendation

To address the current system's limitations and enhance the protection of students with disabilities, Bekasi City Regional Regulation Number 16 of 2019 should be revised to include explicit sanctions for schools and government entities that fail to meet accessibility standards, thereby ensuring accountability. A robust monitoring system, incorporating regular inspections and feedback mechanisms, should be implemented to track progress and drive continuous improvement. The government must provide comprehensive guidelines for schools regarding physical and non-physical accessibility, supported by dedicated funding for essential infrastructure such as ramps and accessible toilets. Collaborations with private organizations and NGOs should be encouraged to secure additional resources.

Furthermore, clear and explicit criteria should be established to facilitate the inclusion of students with disabilities in inclusive education, ensuring they receive adequate support tailored to their needs. Future research needs to highlight the impact of the reforms that have been implemented, including their effectiveness in improving educational accessibility. Additionally, it is important to identify challenges that may be faced in its implementation, such as resource or policy constraints. Collaborative efforts through strategic partnerships also need to be explored to support the sustainability of

these reforms. Research should also consider innovations that can accelerate the improvement of accessibility in schools. Thus, the reforms carried out can provide broader and sustainable benefits.

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