

## The Impact of Full Day School Policy in Indonesia: A Juridical Analysis of Teacher Welfare and Children's Rights

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### ABSTRACT:

*This research conducts a juridical analysis of the Full Day School (FDS) policy in Indonesia, focusing on its impact on teacher welfare and children's rights. The primary objective is to evaluate how the policy aligns with legal frameworks such as Law Number 14 of 2005 on Teachers and Lecturers and Law Number 35 of 2014 on Child Protection. This study utilizes an analysis of specific legal documents and policy regulations, including Ministerial Regulation Number 23 of 2017 on School Days and Presidential Regulation Number 87 of 2017 on Strengthening Character Education. The findings indicate that the policy's extended school hours may infringe upon children's rights to rest and play, as guaranteed under Law Number 35 of 2014, and exacerbate teacher workloads, potentially conflicting with labour rights under Law Number 13 of 2003. Teachers report heightened stress and reduced work-life balance, while students face mental fatigue and diminished extracurricular opportunities. To comply with legal mandates and international conventions such as the United Nations Convention on the Rights of the Child (UNCRC), the policy must be revised to balance instructional goals with the well-being of both educators and learners. Recommendations include reducing school hours, ensuring adequate rest periods, and aligning the policy with legal and international standards. Further exploration of the policy's long-term legal and social implications is essential for sustainable educational reform.*

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### ABSTRAK:



*Penelitian ini melakukan analisis yuridis terhadap kebijakan Full Day School (FDS) di Indonesia, dengan fokus pada dampaknya terhadap kesejahteraan guru dan hak-hak anak. Tujuan utama penelitian ini adalah mengevaluasi sejauh mana kebijakan ini sesuai dengan kerangka hukum seperti Undang-Undang Nomor 14 Tahun 2005 tentang Guru dan Dosen serta Undang-Undang Nomor 35 Tahun 2014 tentang Perlindungan Anak. Studi ini menggunakan analisis dokumen hukum dan peraturan kebijakan tertentu, termasuk Peraturan Menteri Pendidikan dan Kebudayaan Nomor 23 Tahun 2017 tentang Hari Sekolah dan Peraturan Presiden Nomor 87 Tahun 2017 tentang Penguatan Pendidikan Karakter. Temuan menunjukkan bahwa jam sekolah yang diperpanjang dalam kebijakan ini dapat melanggar hak anak untuk istirahat dan bermain sebagaimana dijamin dalam Undang-Undang Nomor 35 Tahun 2014, serta memperburuk beban kerja guru yang berpotensi bertentangan dengan hak tenaga kerja dalam Undang-Undang Nomor 13 Tahun 2003. Guru melaporkan peningkatan stres dan terganggunya keseimbangan kehidupan kerja, sementara siswa mengalami kelelahan mental dan berkurangnya peluang untuk mengikuti kegiatan ekstrakurikuler. Untuk mematuhi mandat hukum dan konvensi internasional seperti Konvensi PBB tentang Hak-Hak Anak (UNCRC), kebijakan ini harus direvisi agar dapat menyeimbangkan tujuan instruksional dengan kesejahteraan pendidik dan peserta didik. Rekomendasi mencakup pengurangan jam sekolah, memastikan periode istirahat yang memadai, dan menyelaraskan kebijakan dengan standar hukum dan internasional. Penelitian lebih lanjut diperlukan untuk mengeksplorasi implikasi hukum dan sosial jangka panjang dari kebijakan ini demi reformasi pendidikan yang berkelanjutan.*

***Kata kunci:*** Sekolah Sehari Penuh, Full Day School, Kesejahteraan Guru, Hak Anak, Kebijakan Pendidikan, Indonesia, Keseimbangan Kehidupan Kerja

## INTRODUCTION

Education plays a significant role in human life. In practice, the landscape of education in Indonesia is often marked by policy changes ranging from curriculum updates to learning system reforms, aimed at achieving better education for the nation's future generations. Policy is a part of planning that assists government institutions, groups, officials, or actors in specific fields in making decisions about resources, time, and effort to achieve a particular goal (Tintigon et al., 2023). The Full Day School policy in Indonesia was introduced as a strategy to improve the quality of education and enhance the educational system, based on the need to address gaps in character education and optimize learning time. This initiative draws its legal justification from key national regulations, including Law Number 20 of 2003 on the National Education System, which emphasizes holistic development, and Ministerial Regulation

Number 23 of 2017, which seeks to regulate school days to align with these goals (Suja'i, 2021). Full day school is an alternative education model that applies an integrated curriculum and structured activities, encompassing learning, playing, and worshipping (Takwin, 2021). This concept seeks to extend learning hours at schools, providing students with more opportunities to develop both academically and non-academically (Sa'odah et al., 2020). In 2017, the policy was gradually implemented with the support of the Ministry of Education and Culture to encourage character-building among students and optimize learning time (Kinanti et al., 2023). However, the implementation of this policy has sparked pros and cons from various circles, especially regarding teacher welfare and its impact on students, leading to debates about its effectiveness in the context of national education (Nakiah & Hamami, 2022).

The implementation of the Full Day School policy in Indonesia is based on several key regulations. Policy is a set of plans or actions aimed at solving problems to achieve a specific goal (Iskandar, 2017). This policy is supported by Law Number 20 of 2003 on the National Education System, which states that education must comprehensively develop students' potential in spiritual, intellectual, emotional, and social aspects (Depdiknas, 2003). The operational aspects of the Full Day School policy, such as extended school hours and curriculum integration, are intended to fulfill this law's emphasis on holistic development. In the context of education, policy is a consideration based on a value system and situational factors, and these considerations are used as a basis for operating education in institutions (Sainuddin et al., 2024). However, these operational measures can conflict with other legal requirements, such as providing adequate rest and extracurricular opportunities for students. For instance, the rigid implementation of extended hours may challenge the practical application of the law's broad developmental goals, highlighting potential misalignments between policy intentions and outcomes. The purpose of education policy is to ensure the implementation process is directed and rationally accepted by various parties (Lestari et al., 2023). Policy refers to government decisions that are broad in nature and intended for all individuals within a specific community (Susanto, 2023).

This tension underscores the need to reconcile the law's holistic vision with the realistic constraints faced by educators and students. Furthermore, the

Ministerial Regulation of the Ministry of Education and Culture (Permendikbud) Number 23 of 2017 on School Days regulates the implementation of Full Day School by setting learning activities for eight hours a day over five days to strengthen students' character development (Rahem, 2017). The implementation requires collaboration with education units and school committees, considering educational resources and cultural values to ensure balance in students' activities (Permen, 2017). However, this regulation's alignment with higher laws, such as Law Number 35 of 2014 on Child Protection and labour rights provisions in Law Number 13 of 2003, warrants further scrutiny. The extended hours imposed by the regulation may conflict with protections ensuring children's right to rest and leisure, as well as teachers' rights to reasonable workloads. Evaluating these potential inconsistencies is crucial to determine whether the policy adheres to overarching legal standards. This policy must also align with Law Number 14 of 2005 (UU, 2005) on Teachers and Lecturers, and Law Number 35 of 2014 on Child Protection, which regulates the welfare of educators and the rights of children to receive proper education (UU, 2014).

Several studies have examined the challenges and benefits of implementing FDS in Indonesia, shedding light on the policy's implications for educators and students. Research by Kinanti found that the policy led to increased teacher workload, contributing to fatigue and diminished teaching quality (Kinanti et al., 2023). Similarly, studies have shown that students participating in full-day programs often experience physical and mental fatigue, which adversely affects their academic performance and psychological development (Chahya, 2019). Further studies by Rudyani reveal that students in full-day schools face fewer opportunities for social interaction outside school, potentially stunting psychosocial development. These findings underscore the need for a balanced approach to educational reform, considering both the educational benefits and the well-being of stakeholders involved (Rudyani et al., 2018).

Despite the focus on extending school hours, the implications of FDS on children's rights, particularly their right to leisure and play, have also raised concerns. Law Number 35 of 2014 on Child Protection explicitly guarantees these rights, emphasizing the importance of rest, recreation, and participation in cultural and social activities as part of a child's holistic development. The

extended school hours mandated by the FDS policy appear to limit these opportunities, potentially conflicting with the legal protections enshrined in this legislation. Additionally, the emphasis on academic and character education may inadvertently overlook the broader developmental needs specified in the law. This raises critical questions about whether the policy's operational priorities align with its legal obligations to uphold children's rights. Mappong argues that the FDS policy, while legally permissible, may violate children's rights as stipulated in national and international child protection regulations (Mappong et al., 2023). This issue is further complicated by the lack of sufficient attention to teacher welfare, which remains a critical aspect of the policy's success. The full impact of FDS on children's development, both academically and socially, is thus far from conclusive, and its effectiveness remains a point of contention. While some studies have emphasized the policy's positive potential in fostering academic excellence and character development, the broader implications for children's rights and teacher well-being have not been adequately addressed in existing literature.

International studies have explored similar models of extended school hours and their impacts on various aspects of education and social development. For instance, research in Germany and Brazil indicates that longer school days can enhance student outcomes in certain contexts, yet the effects are not universally positive (Rosa et al., 2022; Shure, 2019). These studies highlight the variability of outcomes depending on local contexts, such as teacher support, school infrastructure, and socio-economic conditions. The literature on full-day schooling is rich but often fails to consider the broader socio-cultural and legal contexts within which these policies are implemented. The Indonesian context presents unique challenges, particularly in balancing educational aspirations with the protection of children's rights and the welfare of educators. Legal principles, such as *lex superior derogat legi inferiori* (higher laws override lower regulations), are central to addressing these challenges. For instance, while the Full Day School policy aims to enhance character education through extended hours, it must be critically examined for its compliance with higher laws, including those safeguarding children's rights and labour protections for educators. This principle underscores the need for policy adjustments that prioritize fundamental rights and ensure that lower regulations align with overarching legal frameworks. By applying this legal lens, potential

inconsistencies between policy implementation and established laws can be identified and rectified.

Previous research has also failed to provide comprehensive recommendations for improving the FDS policy to ensure it aligns with Indonesia's broader educational goals. Although studies have pointed out the significant drawbacks related to teacher fatigue and children's psychosocial development, few have proposed practical solutions to mitigate these issues. This gap in the literature highlights the need for further investigation into the optimal implementation of FDS, with a particular focus on ensuring a positive balance between academic rigor and the well-being of all stakeholders. There is also a need for policies that better support teachers and protect children's rights while achieving the goals of character development and academic excellence.

This study aims to fill the gaps in existing research by analyzing the impact of the Full Day School policy on both teacher welfare and student well-being in Indonesia. By examining the benefits and challenges of the policy, this research seeks to provide recommendations for its improvement, ensuring that it better aligns with national education goals and the protection of children's rights. The findings of this study are expected to offer valuable insights for policymakers, educators, and stakeholders involved in shaping Indonesia's education system, contributing to a more balanced and comprehensive approach to educational reform.

## **METHODS**

This study employs a qualitative research methodology with a focus on a legal analysis of the Full Day School (FDS) policy in Indonesia and its impact on teacher welfare and children's rights. Given the nature of the research, which emphasizes regulatory and legal implications rather than quantification, this approach is particularly suited for examining the intersections between policy frameworks and their practical outcomes. The study involves identifying, selecting, and analyzing relevant legal and policy documents to answer the research questions. This includes examining how the FDS policy aligns with Indonesia's broader legal framework and its potential conflicts with established laws and conventions.

The data collection process included an extensive review of legal texts and policy documents, such as laws, ministerial regulations, government decrees, and international conventions. Key legal sources include Law Number 20 of 2003 on the National Education System, Law Number 14 of 2005 on Teachers and Lecturers, Law Number 35 of 2014 on Child Protection, and Ministerial Regulation (Permendikbud) Number 23 of 2017 on School Days. These documents were analyzed in conjunction with international standards, such as the United Nations Convention on the Rights of the Child (UNCRC), to evaluate the FDS policy's compliance with national and international legal frameworks. The analysis employed legal interpretative methods, focusing on identifying provisions relevant to teacher welfare and children's rights while highlighting areas of potential conflict or alignment.

To ensure rigor, the research adhered to established legal analysis protocols, including triangulation of data from multiple sources and cross-referencing with expert opinions and secondary literature. Specific legal principles, such as *lex superior derogat legi inferiori* (higher laws override lower regulations), were applied to evaluate the hierarchy of laws and their implications for the FDS policy. The study also explored ambiguities in policy language and their impact on implementation, emphasizing the importance of regulatory coherence. The findings provide a detailed legal assessment of the FDS policy, offering recommendations for policymakers to ensure alignment with Indonesia's legal and educational objectives while safeguarding the welfare of educators and children.

## **FINDINGS AND DISCUSSION**

### **FINDINGS**

#### **Legal Foundations and Regulatory Framework**

The Full Day School (FDS) policy in Indonesia is primarily supported by Ministerial Regulation (Permendikbud) Number 23 of 2017, which mandates eight-hour school days over five days a week. This regulation aims to optimize character education and learning time through extended school hours. Additionally, Presidential Regulation Number 87 of 2017 underscores the importance of integrating character education into the curriculum. These regulations are further supported by Law Number 20 of 2003 on the National Education System, which highlights holistic student development across

spiritual, intellectual, emotional, and social dimensions. Together, these legal instruments provide a strong foundation for the FDS policy, aiming to create a structured and enriched educational environment.

Despite its regulatory basis, the FDS policy has raised concerns about its alignment with other existing laws. For instance, Law Number 14 of 2005 on Teachers and Lecturers guarantees educators fair working conditions and manageable workloads, while Law Number 35 of 2014 on Child Protection emphasizes children's rights to rest, play, and participate in social and cultural activities. The extended hours mandated by the FDS policy may unintentionally infringe upon these protections, creating potential legal conflicts. This tension between the policy's intent and its practical implications necessitates a closer examination of its regulatory coherence.

The alignment of the FDS policy with Indonesia's broader legal framework is critical to its success and legitimacy. While the policy seeks to enhance educational outcomes, its regulatory consistency remains a subject of debate. For instance, the extended hours imposed by the policy might conflict with labour regulations and child protection laws, raising questions about its adherence to overarching legal principles. A thorough evaluation of these inconsistencies is essential to ensure that the policy upholds the rights of both educators and students, fostering a balanced approach to education.

### **Implications for Teacher Welfare**

The FDS policy has significant implications for the welfare of teachers, as stipulated in Law Number 14 of 2005 on Teachers and Lecturers. This law guarantees educators the right to equitable working conditions, manageable workloads, and adequate rest. However, the extended hours mandated by Permendikbud No. 23 of 2017 often translate into additional extracurricular responsibilities, effectively lengthening teachers' workdays. This situation exacerbates stress levels and diminishes work-life balance, especially for teachers juggling family responsibilities. Such demands may also contradict Law Number 13 of 2003 on Manpower, which mandates sufficient rest periods for all workers.

Moreover, the lack of explicit provisions for compensating teachers for their increased workload further compounds the issue. Teachers are expected to innovate and maintain engagement in classrooms despite the extended hours,



leading to emotional and physical fatigue. This burden not only affects their personal well-being but also risks compromising the quality of education delivered to students. To address these challenges, the FDS policy must prioritize teacher welfare by including clear guidelines on workload distribution, rest periods, and financial compensation. Ensuring compliance with existing labour laws would enhance the policy's viability and sustainability.

### **Children's Rights and Developmental Needs**

The implementation of the FDS policy also raises concerns about its impact on children's rights, as outlined in Law Number 35 of 2014 on Child Protection. This law guarantees every child the right to rest, play, and participate in social and cultural activities essential for their holistic development. However, the extended school hours mandated by the FDS policy significantly limit opportunities for leisure, family bonding, and extracurricular engagement. These restrictions may hinder children's physical, emotional, and social development, contradicting the very objectives of Indonesia's child protection regulations. The legal emphasis on a child's right to balance education with personal growth appears to be overshadowed by the policy's stringent schedule.

The rigid schedules enforced under the FDS policy often lead to mental and physical fatigue among students. Long school hours reduce the time available for recreational activities, which are critical for mental health and emotional resilience. Children subjected to such intensive academic routines may struggle to maintain focus and enthusiasm, thereby diminishing the overall quality of their learning experience. The absence of adequate leisure time also stunts their ability to develop important life skills that are often cultivated outside the classroom. These effects suggest a misalignment between the policy's implementation and the broader developmental needs of children as prescribed by law.

Additionally, the FDS policy prioritizes character education and academic excellence but fails to address the essential role of play and rest in a child's holistic growth. Recreational activities are not merely supplementary; they are integral to fostering creativity, problem-solving abilities, and social interaction. By neglecting these elements, the policy risks impairing children's overall well-being and undermining their right to a balanced lifestyle. This

contradiction highlights the need for revisions to ensure that academic pursuits are harmonized with the legal mandate to safeguard children's rights.

To align the FDS policy with Indonesia's legal and educational goals, greater flexibility must be incorporated into its design. Options such as shorter school days, periodic breaks, and dedicated time for extracurricular activities could provide a better balance between structured learning and personal development. Recognizing the importance of these rights would ensure a more holistic and legally compliant approach to education. This adjustment would not only protect children's rights but also promote a more effective and inclusive educational environment.

## **DISCUSSION**

The implementation of the full day school policy reflects an ambitious effort to create a holistic education system by extending learning hours and integrating academic, extracurricular, and character-building activities (Permendikbud, 2017). This approach aligns with the view that education policies should serve as a systematic guide for achieving predefined goals through effective allocation of resources and time (Iskandar, 2017). By focusing on character education, the policy echoes the broader aims of national education as mandated in Article 31 of the 1945 Constitution, emphasizing faith, piety, and noble character (Constitution, 1945). However, this policy requires careful management to ensure that the extended hours foster positive student development rather than causing fatigue or disengagement (Devy et al., 2020). Effective execution depends on balancing structured learning with sufficient rest and recreational opportunities, which is often challenging in practice.

While the full day school policy seeks to optimize education through a structured schedule, its practical implementation often deviates from the intended framework. Many schools and madrasas extend activities to Saturdays, exceeding the 40-hour weekly limit specified in Permendikbud No. 23 of 2017, creating undue burdens for students and teachers alike (Devy et al., 2020). These extended hours disrupt the intended balance between academic and personal life, directly impacting overall well-being. Teachers also face increased workloads, with little time for family or community engagement, exacerbating their stress levels. This highlights a gap between policy design and execution, necessitating revisions to align practice with the policy's original goals.

Teachers are equally affected, facing the dual challenge of delivering engaging lessons while managing extended hours. Teachers must adopt innovative methods to sustain student interest, which adds to their already substantial workloads (Fatimah et al., 2023). Teacher A expressed that the prolonged schedule reduces their effectiveness in teaching and limits family interactions. Married teachers, in particular, struggle to balance professional and personal responsibilities, leading to stress and dissatisfaction (Ayu, 2021). To mitigate these effects, policy adjustments are necessary to provide teachers with adequate rest and support mechanisms for professional growth.

The full day school policy inadvertently limits opportunities to engage in community activities, which are crucial for developing social skills and moral character (Rahmayani, 2020). Reduced participation in youth organizations and religious groups diminishes exposure to real-world experiences that foster empathy and social responsibility. This gap is especially significant in madrasas, where extracurricular religious education provides spiritual and moral enrichment not always available in formal schools (Sa'odah et al., 2020). Balancing academic demands with opportunities for community involvement is vital to nurture well-rounded individuals.

The policy's emphasis on school-based activities reduces the time that can be dedicated to external religious education, such as *madrasah diniyah*. Religious activities at schools often lack the depth and practical engagement provided in madrasas, affecting spiritual growth (Marzuqi, 2022). Teacher fatigue from extended school hours further impacts the quality of instruction in religious education settings like TPA (TPA; Taman Pendidikan Al Quran, like religious education that focuses on learning Al Quran). This undermines the constitutional goal of fostering faith and morality through national education (Constitution, 1945). Adjustments to the policy should prioritize religious education as an integral component of holistic development.

A significant concern with the full day school policy is its potential conflict with Pancasila and national education laws. By prioritizing academic schedules over spiritual and moral education, the policy appears to neglect the divine values enshrined in Pancasila's first principle, "The One Godhead" (Marzuqi, 2022). Moreover, the reduced time for religious instruction contradicts the national education goals outlined in Article 31 of the 1945 Constitution (Constitution, 1945). Ensuring alignment between educational

policies and national values is essential for maintaining coherence in the country's education system.

To address these challenges, policymakers must adopt a more flexible and inclusive approach that considers the diverse needs of students and teachers. This includes limiting school hours to align with the 40-hour weekly cap and incorporating mandatory breaks to prevent burnout (Permendikbud, 2017). Enhancing collaboration between schools and community organizations can also provide opportunities for non-academic growth (Mahabbati et al., 2017). Additionally, providing resources and training for teachers to manage extended schedules more effectively can alleviate their workload. By prioritizing well-being alongside academic excellence, the full day school policy can better achieve its intended objectives.

## **CONCLUSION**

This study highlights the legal complexities surrounding the Full Day School (FDS) policy in Indonesia, which aims to balance academic learning with character development through extended school hours. Although the policy has a robust regulatory foundation, its implementation has revealed significant legal conflicts and ambiguities. The findings show that the policy may inadvertently violate existing laws, such as Law Number 35 of 2014 on Child Protection and Law Number 14 of 2005 on Teachers and Lecturers. Specifically, extended school hours undermine children's right to rest, play, and social engagement while imposing excessive workloads on teachers, potentially breaching labor rights. These issues raise questions about the policy's compliance with national and international legal frameworks, including the United Nations Convention on the Rights of the Child (UNCRC).

The study underscores the importance of regulatory coherence and alignment between the FDS policy and overarching legal principles. Legal principles such as *lex superior derogat legi inferiori* (higher laws override lower regulations) highlight the need to prioritize fundamental rights enshrined in national laws and international conventions. The analysis suggests that the current implementation of the FDS policy is inconsistent with these principles, resulting in potential legal vulnerabilities for policymakers. Moreover, the lack of explicit guidelines for compensating teachers and protecting children's developmental needs further exacerbates the policy's legal shortcomings.

To address these issues, the study recommends revising the FDS policy to ensure compliance with existing legal standards and to better align with Indonesia's educational and social objectives. This includes reducing school hours, incorporating mandatory breaks, and providing specific measures to support teacher welfare and children's rights. A thorough review of the policy's legal implications, combined with stakeholder engagement and monitoring mechanisms, is essential for achieving a balanced and legally sound framework. By addressing these legal inconsistencies, the FDS policy can better serve its intended purpose without compromising the rights and welfare of educators and students.

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