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ORGANIZING INCLUSIVE EDUCATION IN HIGHER EDUCATION AS AN EFFORT TO PREVENT DISCRIMINATION AGAINST PEOPLE WITH DISABILITIES

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ABSTRACT: Disability is a term that refers to individuals who have physical or nonphysical abnormalities. The 1945 Constitution explicitly guaranteed persons with disabilities. At least Article 28H paragraph (2) states that everyone is entitled to facilities and special treatment to obtain equal opportunities and benefits to achieve equality and justice. Law No. 19 of 2001 also regulates the rights of persons with disabilities. Starting from the right to be free from torture, cruel inhuman, and degrading treatment, to the right to be free from exploitation, violence, and arbitrary treatment. To realize this, the government has made regulations that allow people with disabilities to obtain the same education as other people, even up to university. Each university must begin to improve itself to become a place where people with disabilities can also carry out the learning process properly or commonly referred to as an inclusive campus. that inclusive education is an open education system for students or students from various backgrounds without distinguishing one from another so that everyone has the right to get the same education in accordance with applicable laws. There are three foundations of education, namely the philosophical foundation, juridical foundation, and pedagogical foundation. This research uses the literature review method by searching the Google Scholar database. The researcher conducted a search by reviewing general terms and specific terms. The search terms used were as follows: inclusive education, higher education, disability, and disabled. There were ten journals that met the criteria for the literature review. The results of the literature on the Implementation of Inclusive Education in Higher Education as an Effort to Prevent Discrimination of Persons with Disabilities include student management, curriculum management, and education personnel management. Fourth, management of facilities and infrastructure, Fifth, financial management/funding.

Keywords: Organizing, Inclusive Education, Higher Education, Discrimination, Disabilities

INTRODUCTION

Humans are created by God with differences from each other, which tend to grow and develop step by step towards a more perfect direction.¹ Difference, whether in the form of physical, mental, or ability, is now better known as disabled (difference in ability is a new theme to replace the term for people with disabilities). However, this condition should not

¹ Husnizar, The Concept of Student Subjects in Islamic Education, 1st cet, Banda Aceh, IAIN Ar-Raniry Press, 2007, pp. 20

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make different treatment, especially for those with disabilities. In fact, the right to education for every child is the same (inclusive) and there should be no discrimination. Even people with disabilities have the right to receive proper education just like other normal children.²

Disability is a term that refers to individuals who have physical or non-physical abnormalities.³ Currently, people with disabilities do not have a place in society. Their presence is still underestimated. The limitations they must make them considered a weak, helpless group that only needs to get pity. Their rights as human beings are often ignored. From the right to life, the right to obtain education and health services to easy access to public facilities.⁴ In fact, obtaining an education is a right for every community. Persons with disabilities are no exception and have the same status as other people. As part of the community, people with disabilities have the right to obtain an education that is equal to other people.⁵ In this case, the 1945 Constitution has explicitly guaranteed persons with disabilities. At least Article 28H paragraph (2) states that everyone is entitled to facilities and special treatment to obtain equal opportunities and benefits to achieve equality and justice. Law No. 19 of 2001 also regulates the rights of persons with disabilities. Starting from the right to be free from torture, cruel inhuman, and degrading treatment, to the right to be free from exploitation, violence, and arbitrary treatment.⁶

The existence of the disability law is not only a legal umbrella for people with disabilities, but a guarantee that people with disabilities are protected from all forms of injustice, violence, and discrimination. Inclusive education in higher education should be a place where students with disabilities can learn, participate, and be seen as valuable individuals in the University.⁷ Therefore, people with disabilities need to find a university that offers the right infrastructure services for their particularities and then determine if there is a major, they want, so students with disabilities are inevitably faced with few and very limited options.⁸

However, universities or colleges today are accused of discrimination if they are not equipped with facilities that meet the needs of people with disabilities.⁹ People with disabilities who have access to higher education still face inappropriate treatment and

² Jalaluddin, Theology of Education, 3rd cet, Jakarta, PT Raja Grafindo, 2003, h. 15)

³ A. Soleh, Yogyakarta State University Policy towards Persons with Disabilities. Journal of Islamic Education. Vol. III, No, 1. 2014

⁴ Bambang Widodo, Efforts to Fulfill the Rights of Persons with Disabilities, https://ham.go.id/2020/03/06/upaya-memenuhi-hak-penyandang-disabilitas/), accessed on May 25, 2023, Thursday at 4:53 p.m.

⁵ Puspitosari, et. al, The Challenges of Realizing an Inclusive Campus in Higher Education in a Literature Review, Journal of Moral Society, Vol.7 N0.1, June 2022, p.56

⁶ Agency For Educational Standards, Curriculum And Assessment, Ministry Of Education, Culture, Research And Technology, Republic Of Indonesia, Guidelines For The Implementation Of Inclusive Education, Jakarta: 2022, p.3

⁷ Morgado, et. al., Inclusive Education in Higher Education, Journal of Research in Special Educational Needs, 16, 2016, 639–642.

⁸ J. Karellou, Enabling disability in higher education. A literature Review. Journal of Disability Studies, 5(2), 2019, p. 47–54

⁹ Op.cit. Morgado, et. al., p. 639–642

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discrimination.¹⁰ This can occur in the form of learning models that are not adaptive, social environments that are not friendly, and facilities and infrastructure that are not affordable for students with special needs. Higher education takes a long time to meet the needs of people with disabilities and fully implement inclusive education.¹¹

To realize this, the government has made regulations that allow people with disabilities to obtain the same education as other people, even up to university. Each university must begin to improve itself in order to become a place where people with disabilities can also carry out the learning process properly or commonly referred to as an inclusive campus.¹² Responding to the background of the above problems, the author wants to examine more deeply the "Organizing Inclusive Education in Higher Education As An Effort To Prevent Discrimination Against People With Disabilities".

METHODS

This research uses the literature review method by searching the Google Schoolar database. The researcher conducted a search by reviewing general terms and specific terms. The search terms used were as follows: inclusive education, higher education, disability, disabled. There were ten journals that met the criteria for the literature review. The criteria for the journals analyzed were: First, articles about inclusive education in higher education. Second, articles published in 2015-2023. Article identification was carried out by adjusting the abstract with the literature review. Then the whole article is identified by digging up relevant information according to the purpose of the literature review. After going through this stage, the researcher will organize the substance of the challenges of the inclusive campus from each reference.

RESEARCH

A. Inclusive Education

In the view of UNESCO, 2017 quoted by the Education Personnel Development Center, Inclusive is taken from the English word "to include" or "inclusion" or "inclusive" which means inviting in or including. In the sense of "Inclusive" what is invited in or included is to respect and embrace every individual with different backgrounds, gender, ethnicity, age, religion, language, culture, characteristics, status, ways/patterns of life, physical conditions, abilities, and other conditions. Inclusive education is education that is open and friendly to learning by prioritizing respect and embracing differences. For this reason, inclusive education is understood as an approach that seeks to transform the education

¹⁰ Andayani, A., & Afandi, M. (2019). Empowerment and Assistance of Communities with Disabilities in Accessing Higher Education. Aplikasia: Journal of Applications of Religious Sciences, 16(2), 153

¹¹ A. Moriña, Inclusive education in higher education: challenges and opportunities. European Journal of Special Needs Education, 32(1), 2017, p. 3-17.

¹² Ananda Putra Satria, Inclusive Campus Implementation, A Dream Space Full of Challenges, (https://kumparan.com/ananda-putra-1670071440415363491/penerapan-kampus-inklusif-ruang-impianyang-penuh-tantangan-1zMwrTOKbkl/full), Accessed on Friday, May 26, 2023, at 15:30.

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system by removing the barriers that prevent individual students from fully participating in education with support services. Inclusive education is a practical and simple change that gives every individual with every difference the opportunity to succeed in learning. It not only benefits individuals who are often excluded such as children with special needs, but all children and their parents, all teachers and school administrators, and every member of the community and its environment also benefit from any changes made.¹³

Inclusion is an approach to building an environment that is open to anyone with different backgrounds and conditions, including characteristics, physical conditions, personality, status, ethnicity, culture, and so on. This mindset then develops with the process of including the concept in the curriculum in the education unit so that inclusive education becomes an education service system that provides opportunities for every learner to get a proper education.¹⁴ Inclusive education is the implementation of education in schools that involves all students to be involved in the learning process, all members get the same treatment because they have the same value as members of the school.¹⁵

It can be summarized that inclusive education is an open education system for students or students from various backgrounds without distinguishing one from another so that everyone has the right to get the same education in accordance with applicable laws.

B. Objectives of Inclusive Education

Munawir Yusuf¹⁶ in his presentation explained that there are at least two objectives of Inclusive Education, namely:

- 1. Providing the widest possible opportunity for all learners who have physical, emotional, mental, and social abnormalities, or have special intelligence and/or talent potential to obtain quality education according to their needs and abilities.
- 2. Realizing the implementation of education that respects diversity and is not discriminatory for all learners.

Meanwhile, the objectives of inclusive education as stated in the Guidelines for the Implementation of Inclusive Education in Indonesia, Kemdiknas 2007¹⁷ are as follows:

1) Providing opportunities for all children (including children with special needs) to receive appropriate education according to their needs.

¹³ Education and Culture Human Resources Development Agency and Education Quality Assurance, Competency Improvement Training Materials For School Supervisors and School Principals, Inclusive Education and Child Protection, Center for Educational Personnel Development, Ministry of Education and Culture,

^{2015,} р. 5-6

¹⁴ Agency For Educational Standards, Curriculum and Assessment, Ministry Of Education, Culture, Research And Technology, Republic Of Indonesia, op.cit., p.4

¹⁵ A. Morina, op.cit., p.3-17

¹⁶ Munawir Yusuf, Policies and Strategies for INCLUSIVE EDUCATION in Higher Education in Indonesia, 2016 (Power Point Presentation), Accessed from https://lp3mpt.umpr.ac.id/wp-content/uploads/2021/03/01.-KEBIJAKAN-PENDIDIKAN-INKLUSIF-DI-PT-final.pdf

¹⁷ Kemdiknas, Guidelines for the Implementation of Inclusive Education in Indonesia, 2007.

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- 2) Helping to accelerate the compulsory basic education program; c. Helping to improve the quality of primary and secondary education by reducing the dropout rate.
- 3) Creating an education model that respects diversity, is non-discriminatory, and is learning friendly.
- 4) Fulfilling the mandate of the 1945 Constitution, especially Article 32 paragraph 1 which reads "every citizen of the country has the right to education", and paragraph 2 which reads "every citizen is obliged to attend basic education and the government is obliged to finance it". Law No. 20/2003 on the National Education System, especially Article 5 paragraph 1 which reads "Every citizen has the same right to obtain a quality education". Law No. 23/2002 on Child Protection, specifically Article 51 which reads "Children with physical and/or mental disabilities are given equal opportunities and accessibility to obtain ordinary education and special education".

C. Foundations of Inclusive Education

The foundation is the basis on which to stand or where an action begins. In English, the foundation is called the foundation, which in Indonesian becomes the foundation. The foundation is the most important part to start something. According to S. Wojowasito, a foundation can be interpreted as a base, or it can be interpreted as a foundation, basis, guideline, and source.¹⁸ In the Big Indonesian Dictionary (KBBI), foundation means base, basis, or pedestal.¹⁹

The foundation of inclusive education can be taken into consideration to evaluate the development of education for children with special needs in Indonesia. This is important because the foundation of inclusive education provides opportunities and opportunities for everyone to learn together without exception.²⁰ According to Abdul Salim Choiri and Munawir Yusuf,²¹ there are three educational foundations, namely the philosophical foundation, juridical foundation, and pedagogical foundation.

1. Philosophical foundation

The philosophical foundation of education, namely assumptions derived from philosophy becomes the starting point in the framework of educational practice and/or educational studies. Philosophically, the implementation of inclusive education can be explained as follows:

¹⁸ S. Wojowasito, Big Indonesian Dictionary, Malang: Shinta Dharma, 1972, p. 161.

¹⁹ Kamus Besar Bahasa Indonesia, Online version of the dictionary, in kbbi.web.id, accessed on 6 Juni 2019, at 15.22

²⁰ Mohammad Takdir Ilahi, Inclusive Education: Concepts and Applications, Jogjakarta: ArRuzz Media, 2013, p. 72.

²¹ Abdul Salim Choiri and Munawir Yusuf, Inclusive Education for Children with Special Needs, Surakarta: Yumna Pustaka, 2009, pp. 81-88,

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First, the philosophical foundation for the implementation of inclusion in Indonesia is the fifth principle of Pancasila which states "Social justice for all Indonesian people". This fifth principle emphasizes the principle of justice, including justice in getting education for all. Without discrimination, and discrimination against one party, everyone has the right to get a proper education.

Secondly, Indonesia is a cultured nation with the philosophy of "Bhineka Tunggal Ika". Diversity in ethnicity, customs, beliefs, traditions, and culture is the wealth of the nation that continues to uphold unity in the Unitary State of the Republic of Indonesia.

2. Juridical foundation

The juridical or legal foundation of education, namely assumptions derived from applicable laws and regulations becomes the starting point in the framework of educational practice and or educational studies. The juridical foundation can also be interpreted as a set of concepts of legislation that become the starting point of the Indonesian education system, which according to the 1945 Constitution includes, the Constitution of the Republic of Indonesia, MPR decrees, government regulations, presidential decrees, and others. The foundations for the implementation of inclusive education in Indonesia include:

First, the 1945 Constitution (Amended) Article 31 paragraph (1) reads that every citizen has the right to education. Paragraph (2) states that every citizen is obliged to attend basic education and the government is obliged to pay for it.²²

Second, Minister of Education and Culture Regulation No 46 of 2014 on special education, special service education, and/or special service learning in higher education.²³ This ministerial regulation fully regulates the obligations of universities in fulfilling the educational rights of people with disabilities, starting from the admission of new students to the services that must be provided during college. Article 6, paragraph 1, states "Universities in the selection of new students do not discriminate against prospective students with disabilities". Article 10 states, "Universities provide a Disability Service function to optimize service efforts for students with disabilities."

Third, Law No. 8 of 2016 Article 2 Implementation and fulfillment of the rights of persons with disabilities are based on: a. Respect for dignity; b. Individual autonomy; c. Non-discrimination; d. Non-discrimination. Individual autonomy; c. Nondiscrimination; d. Full participation; e. Human diversity and humanity; f. Equality of opportunity; g. Equality; h. Accessibility; i. The evolving capacity and identity of the child; j. Inclusiveness; and k. Special treatment and extra protection.

In addition to the above laws and regulations, support for the implementation of inclusive education is also expressed in various international declarations, conventions, and conferences. Among them; 1) Bandung Declaration in 2004 with the commitment to

 ²² The 1945 Constitution Article 31 paragraph 1 which states that: Every citizen has the right to education
 ²³ Arif Maftuhin, Inclusive Education in Indonesia in Higher Education, in EDITORIAL INKLUSI: Journal of

Disability Studies Vol. 3, No. 2, July-December 2016, p. vii.

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"Indonesia towards inclusive education,"²⁴ and 2) The Bukit Tinggi Recommendation in 2005 states that inclusive and child-friendly education should be seen as an approach to improving the overall quality of schools. It can contribute to the development of a society that values and respects the individual differences of all citizens.²⁵

3. Pedagogical foundation

In essence, education is a conscious effort to develop the personality and abilities of learners inside and outside of school that lasts a lifetime. It is clear through this formulation that the nature of education is needed by anyone and anywhere.

Law No. 20/2003 Article 3 states that the purpose of national education is to develop the ability and shape the character and civilization of a dignified nation to educate the nation's life. The aim is to develop the potential of students to become human beings who are faithful and devoted to God Almighty, have a noble character, are healthy, knowledgeable, capable, creative, independent, and become democratic and responsible citizens.

So, through education, special needs or disorders are formed into responsible human beings and become democratic citizens, namely individuals who can appreciate differences and participate in society.

In Permendiknas Number 70 of 2009 concerning Inclusive Education for Learners with Disabilities and Potential Intelligence and/or Special Talents, Article 1 explains that inclusive education is an education delivery system that provides opportunities for all students who have disorders and have the potential for intelligence and/or special talents to attend education or learning in an educational environment together with students in general.

Meanwhile, Tarmansyah added that one of the foundations of inclusive education is the religious foundation. Inclusive education has been recognized and accepted by Muslims. The concept of Islam has mandated that there should be no differentiation in the treatment of those with disabilities. In the view of religion, especially Islam, among others, emphasizes that humans are created differently to know each other (inclusion). The glory of a person before God is not because of his physicality but because of his piety.²⁶

D. Implementation of Inclusive Education in Higher Education as an Effort to Prevent Discrimination against Persons with Disabilities

Higher education for people with disabilities has not yet become an issue that is seriously addressed by both the government and the campus. To realize a friendly and non-

²⁴ Berit H. Johnsen and Miriam D. Skjorten, Towards Inclusion; Special Needs Education; An Introduction, Postgraduate Program, University of Education Indonesia. Translated from Education- Special Needs Education An Introduction, University of Oslo Norway: Unifub forlag, 1935, pp. 37.

²⁵ Nenden Ineu Herawati, Inclusive Education, in EduHumaniora Journal of Basic Education, Vol. 2, No. 1, p. 9.
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²⁶ Tarmansyah, Inclusion: Education for All, Jakarta: Ministry of Education National Department of Education-Dikti, 2007, p. 40.

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discriminatory campus for persons with disabilities, the government must conduct a thorough dissemination of the issue of education for persons with disabilities. Policies related to persons with disabilities that do not provide adequate space for the implementation of higher education need to be reformulated. For this reason, the government is expected to immediately establish policies that are not half-hearted in the provision of education for persons with disabilities. Higher education for persons with disabilities is a right that must be fulfilled by the government.

Discourses on the issue of higher education for persons with disabilities need to be developed. Literature on education for persons with disabilities in higher education needs to be provided. If it does not exist, then research needs to be conducted on the development of inclusive campuses to provide access for people with disabilities.²⁷

According to UNESCO in Guidelines for Inclusion: Ensuring Access to Education for All, there are four important elements of inclusion.

First, Inclusion is a process. This means that inclusion is an ongoing process of seeking and finding better ways of responding to diversity. It is about learning how to live with differences and learning how to learn from differences. The learning process by individuals with different characteristics is facilitated and directed to achieve educational goals according to their potential.

Second, Inclusion is concerned with the identification and removal of barriers. It is therefore about gathering and evaluating information from a variety of sources to plan improvements in policy and practice. It is about using a wide range of evidence to stimulate creativity and problem-solving. Inclusion is a process of assessment, identifying individual strengths and weaknesses so that the education services provided can address barriers, and weaknesses appropriately and thoroughly.

Third, Inclusion is about the presence, participation, and achievement of all students. Attendance relates to the place and time of students participating in learning activities. Participation as a form of student involvement according to quality, student experience, and achievement as learning outcomes while participating in learning activities both tests and non-tests. Inclusion is a comprehensive measurement process from the beginning to the end of learning activities.

Fourth, Inclusion involves a particular emphasis on those groups of learners who may be at risk of marginalization, exclusion, or underachievement. Careful attention and accountability to groups at high risk needs to be given to ensure their presence, and participation in the education system.²⁸

From the explanation above, in the implementation of education for persons with disabilities, there are several educational components that need to be managed as a form

²⁷ Kamal Fuadi, 2011, Building an Inclusive Campus, Towards a Friendly and Non-Discriminatory Campus for Persons with Disabilities, https://imtciputat.wordpress.com/2011/04/24/membangun-kampus-inklusifmenuju-kampus-ramah-dan-non-diskriminatif-bagi-penyandang-disabilitas/, accessed on June 2, 2023, at 21.30.

²⁸ Siti Hajar, Analysis of Theoretical Studies of Differences, Similarities and Inclusion in Basic Education Services for Children with Special Needs (ABK), in the Scientific Journal of Mitra Swara Ganesha, ISSN 2356-3443 eISSN 2356-3451. Vol. 4 No.2 (July 2017), p. 40.

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of strategy to realize a friendly and non-discriminatory campus for persons with disabilities, including:

First, is student management. The conditions of students in educational settings for persons with disabilities are more pluralistic when compared to the conditions of regular students. Therefore, student management is something that needs to be considered. The purpose of student management is none other than so that teaching and learning activities in higher education can run smoothly, orderly, and organized, and achieve the desired goals. Campuses need to identify student input so that the needs of students with disabilities can be known. In addition, campuses can also collaborate with schools that provide special education (SLB) and inclusive education in handling prospective students with disabilities.

Second, is curriculum management. The curriculum used in the learning of students with disabilities must be a curriculum that is responsive to differences. The curriculum must be modified in such a way without denying the official curriculum. The curriculum must contain an Individualized Learning Program (IEP) or Individualized Education Program (IEP) so that students with disabilities can be helped in the learning process. In essence, students are not forced to follow the established curriculum, but instead, it is the campus that must adjust by considering the differences that exist in students.

Third, education personnel management. The campus must provide lecturers who understand the concept of education for people with disabilities. Lecturers who will deal with students with disabilities must be lecturers who understand the needs of people with disabilities. If needed, special lecturers are also provided who will be assigned to implement the Individual Learning Program for students with disabilities who need it.

Fourth, facilities and infrastructure management. The availability of adequate facilities and infrastructure is a prerequisite for realizing an inclusive campus. Campus facilities, from physical buildings to classroom facilities, are things that allow students with disabilities to access the education they need. Physical campus buildings must be built according to conditions, for example, students who use wheelchairs can enter and exit the classroom freely. Classes on campus must also have facilities that allow learning for students with disabilities to run smoothly and achieve goals. Students with visual impairments, for example, are provided with books with braille letters so that they do not experience difficulties in participating in learning.

Fifth, financial management/funding. Funding for the implementation of education for persons with disabilities on campus is important. Financing is often a scourge, so the campus feels pessimistic and even antipathy to organizing education for persons with disabilities. The central government, local governments, campuses, and communities need to coordinate the financing of education for persons with disabilities in higher education. Financing issues must be a common concern of all higher education stakeholders.

Strategies for realizing a friendly and non-discriminatory campus for people with disabilities must be the joint responsibility of the central government, local governments, campuses, and communities. Inclusive campuses that are friendly and non-discriminatory can be realized if the government, through established policies, provides full support.

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Universities must have high sensitivity and concern for education for people with disabilities. All stakeholders must be highly committed to realizing an inclusive campus that is friendly and non-discriminatory for persons with disabilities.²⁹

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