



TEACHERS' PERCEPTION OF PUNISHMENT AND ITS RELEVANCE TO UNDANG-UNDANG PERLINDUNGAN ANAK AT ELEMENTARY SCHOOL LEVEL (CASE STUDY AT IN PALANGKA RAYA CITY)

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Abstract

The purpose of this research is to describe teachers' perceptions of punishment and its relationship with the Child Protection Law at the SD/MI level (case study in SD/MI Palangka Raya city). The research location in Palangka Raya City was represented by MIN 2, MIS Muslimat NU, SDN Muhammadiyah Palangka Raya City, and SDIT Al-Furqon Palangka Raya. The subjects in this study are 4 Principals of Elementary / MI, 4 Teachers in Palangka Raya City. To obtain the necessary data, the researcher uses observational data collection techniques, interviews and documentation. The results of the study show that the perception of all teachers from 4 SD/MI states that they strongly agree with the existence of Law no. 35 of 2014 Article 9 paragraph 1 and teachers also strongly agree that the importance of UUPA no. 35 of 2014 Article 9 paragraph 1a states that every child has the right to receive protection in the educational unit from sexual crimes and violence committed by educators, education staff, fellow students, and/or other parties. However, there are different views on corporal punishment such as pinching and running on the field.

Keywords: Perception, Teacher, Punishment

Abstrak

Tujuan Penelitian ini untuk mendeskripsikan Persepsi guru tentang hukuman dan hubungannya dengan UU perlindungan anak di tingkat SD/MI (studi kasus di SD/MI kota Palangka Raya). Lokasi penelitian di Kota Palangka Raya diwakili MIN 2, MIS Muslimat NU, SDN Muhammadiyah Kota Palangka Raya, dan SDIT Al-Furqon Palangka Raya. Subyek pada penelitian ini ialah 4 Kepala Sekolah SD/MI, 4 Guru di Kota Palangka Raya. Untuk mendapatkan data yang diperlukan, maka peneliti menggunakan teknik pengumpulan data observasi, wawancara dan dokumentasi. Hasil Penelitian menunjukkan bahwa Persepsi semua guru dari 4 SD/MI menyatakan sangat setuju dengan adanya UU no 35 tahun 2014 Pasal 9 ayat 1 dan Guru juga sangat setuju bahwa penting adanya UUPA no 35 tahun 2014 Pasal 9 ayat 1a menyatakan bahwa setiap Anak berhak mendapatkan perlindungan di satuan pendidikan dari kejahatan seksual dan Kekerasan yang dilakukan oleh pendidik, tenaga kependidikan, sesama peserta didik, dan/atau pihak lain. Namun berbeda pandangan terhadap hukuman fisik seperti mencubit dan berlari di lapangan.

Kata Kunci: Persepsi, Guru, Hukuman

INTRODUCTION

Educational institutions, both schools and madrasahs, are places for children to seek knowledge and also develop all aspects of themselves. Education is a process of forming human personality. Nawangsari (2016) states that "Education is the process of forming human personality to become a complete person who is mature and responsible for himself, his environment and also his God. To realize all that, the right educational tools are needed so that the expected goals can be achieved. Educational tools are defined as an action or situation that is deliberately held to achieve a certain educational goal. One of these educational tools is punishment."

The imposition of punishment in schools or madrasahs is still a matter of debate among both parents and teachers themselves. Especially after Undang Undang Nomor 35 tahun 2014 perubahan atas Undang-undang Nomor 23 tahun 2002 tentang Perlindungan Anak (UUPA). Many educators have to deal with law enforcement. As stated by Ayuningsih (2020) that "After the enactment of UUPA in Indonesia, many educators have to deal with law enforcement, these educators are made to feel helpless in enforcing discipline in schools". Although in the Undang-undang Guru dan Dosen pasal 14 dan pasal 39 serta Peraturan Pemerintah Nomor 76 Tahun 2008 Tentang Guru Pasal 40 dan 41, it is explained that teachers are required to receive legal protection when carrying out their duties in disciplining and educating students.¹

Researchers explain that giving punishment to students has many positive sides as long as the punishment is within reasonable limits. Oktarima (2016) said that "if students are not given punishment for violations committed, it will have an impact on the students' morals". However, if punishment is carried out, there will be a violation of the law and will be subject to sanctions. In this case, it is clear that protection for teachers seems very weak.²

¹ Faisal Anwar and Hafidh Maksum, "Persepsi Guru Sdn 1 Kota Banda Aceh Terhadap Undang-Undang Perlindungan Anak Dalam Menjalankan Disiplin," *Jurnal Tunas Bangsa* 7, no. 2 (2020): 189–203.

² Diren Oktarima, "Persepsi Guru Tentang Menurunnya Adab Sopan Santun Siswa Kepada Guru Di SMP PGRI 6 Bandar Lampung," 2017.

Based on the results of an interview with Ni'mah, a teacher at an elementary school in Palangka Raya City, said that giving punishment to students would have a deterrent effect on violations or mischief committed. Aziz added that giving punishment is not actually to hurt but as a process of improving morals. Punishment can be done verbally or non-verbally, but teachers often do not dare to give punishment to students even in verbal form because there are concerns about violating the law. As in the case that occurred in 2015, namely the case of a student in Palangka Raya City who was suspected of being a victim of beatings by a teacher.³

Verbal punishment should no longer exist, it is better to replace it with educational punishment. According to Agustin, the Principal of SMKN 1 Banjarmasin City, when a child is late for school, there are various punishments that the child receives from the school. Some are told to salute the red and white flag, sweep the classroom, sweep the yard, clean the toilet, etc. But such punishment methods are less effective.⁴

Therefore, there needs to be socialization regarding the imposition of punishment on students. Today, Wednesday, August 31, 2022, at SMKN 1 Banjarbaru, the Legal Information Section of the Intelligence Sector at the South Kalimantan High Prosecutor's Office in collaboration with the South Kalimantan Provincial Education Office carried out Legal Counseling activities for school principals, teachers and educational staff as well as school financial managers in Banjarbaru City.

In the implementation of the activity, Romadu Novelino, SH, MH as the Head of the Legal Information Section of the South Kalimantan High Prosecutor's Office and accompanied by Nazeni Rahman as the Public Relations Officer and Fakhrur Razi, SH as the Computer Officer were also present as speakers. The material presented by the speakers was to recognize the Criminal Act of Corruption and the potential for deviations in the school environment as well as the Protection and

³ <https://kalteng.antaranews.com/berita/246247/peserta-didik-palangka-raya-dipukul-oknum-guru>.

⁴ <https://infobanua.co.id/2022/09/21/pemberian-sanksi-di-sekolah-harus-bersifat-edukatif/>

Prevention of Violence against Children which was delivered to the principal, teachers and educational staff as well as school financial managers who were present with the aim of providing an understanding of the laws and regulations aimed at preventing the occurrence of corrupt practices and violence against children in schools. Another purpose of this activity is to introduce several items including: Understanding Diversion, Restorative Justice, Children's Rights in the Criminal Justice Process (UUSPA), Government Regulation 74 of 2008 concerning Teachers.

This study uses a case approach and a statute approach. The researcher focused on A-accredited elementary and Islamic elementary schools in Palangka Raya City represented by MIN 2, MIS Muslimat NU, SD Muhammadiyah, and SDIT Al-Furqan Palangka Raya. The subjects of this study were 4 elementary/Islamic elementary school principals, 4 teachers in Palangka Raya City. To obtain the required data, the researcher used observation, interview, and documentation data collection techniques.

Based on the results of interviews and documentation reviews, it is important to find out more about teachers' perceptions about punishment and its relationship to the Child Protection Act. Therefore, the purpose of this study is to describe teachers' perceptions about punishment and its relationship to the Child Protection Act at the Elementary School/Islamic Elementary School level (case study in Elementary School/Islamic Elementary School in Palangka Raya City), located in the review of the Child Protection Act.

DISCUSSION

1. MI MUSLIMAT NU Palangka Raya

Based on the results of interviews with teachers at MI Muslimat NU Palangka Raya, data can be presented that teachers agree with the existence of Law no. 35 of 2014 Article 9 paragraph 1 stating that Every Child has the right to receive education and teaching in the context of developing their personality and level of intelligence according to their interests and talents. Teachers do not agree if there are students who are interested in participating in extracurricular activities at school but it turns out that they are not selected in the selection, this violates UUPA no. 35

of 2014 article 9 paragraph 1. This is because in extracurricular activities there is a selection system for students who participate in certain extracurricular activities. For MI Muslimat NU Palangka Raya, the extracurricular activity that uses selection is habsyi. While extracurricular activities that are open to the public are scouts. Extracurricular activities are activity programs that are implemented by students who are outside the classroom and outside of class hours with the aim of helping to develop the potential and talents of students.⁵

Based on the results of the interview, teachers also strongly agree with the existence of UUPA no 35 tahun 2014 Pasal 9 ayat 1a states that Every Child has the right to receive protection in educational units from sexual crimes and Violence committed by educators, education personnel, fellow students, and/or other parties. However, for teachers, physical punishment such as pinching, running around the field, standing in front of the class or under the flag given by the teacher to students is a form of violence and violates UUPA. Because it is not violence committed by educators. Therefore, teachers agree that physical punishment such as pinching, running around the field, standing in front of the class or under the flag given by the teacher to students is a form of "educating" or providing a deterrent effect. However, so far in MI Muslimat NU Palangka Raya, this physical punishment has not been used. The punishment given is by throwing garbage or writing in a book and is known by the parents to be signed. This is done so that parents know how their children behave in the madrasah.

The interview results also showed that teachers did not agree that physical punishment in schools should be eliminated. Because physical punishment can be given with light physical punishment such as push-ups or running. Both types of punishment are physical punishment but not heavy physical punishment. Therefore, teachers still agree that physical punishment in schools must remain to provide a deterrent effect. Students who make mistakes or violate school rules will be reported by the homeroom teacher to the vice principal of the madrasah for educational participants and then written in the case book as evidence of

⁵ Khusna Shilviana and Tasman Hamami, "Pengembangan Kegiatan Kokurikuler Dan Ekstrakurikuler," *Palapa* 8, no. 1 (2020): 159–77.

documentation. Students who violate the rules will be given educational punishment.

The deputy head of the madrasah for educational participants at MI Muslimat NU Palangka Raya City has three case books. The case books are the case book for Monday during Monday's ceremony and the case book for Saturday, namely the case book for muhadharah activities and the general case book. Students who violate the rules on Monday and Saturday will be written in the case book. Violations committed other than Monday and Saturday will be written in the general case book. The following is the documentation of Monday's case book.

For cases of students who commit violence against their friends at the madrasah, teachers agree that hitting fellow students is an act of violence. Especially if it hurts their friends. Therefore, they agree that hitting fellow students is a violation of UUPA no 35 tahun 2014 pasal 9 ayat 1a and agree that students who hit their friends must be reported to the school. If it is excessive, it must be reported to the authorities. Violence According to Molzana (2023), it is important for schools and madrasahs to internalize anti-violence education, so that students have an anti-violence spirit.⁶

Seeing several cases of teachers who were imprisoned for physically punishing students. Teachers do not agree that teachers who give physical punishment should be reported to the authorities for violating UUPA. Unless the physical punishment hurts their child. Therefore, teachers agree that teachers have the right to protection if there are parents who threaten them

2. MIN 2 Kota Palangka Raya

Based on the results of interviews with teachers at MIN 2 Palangka Raya City, data can be presented that teachers strongly agree with the existence UU no 35 tahun 2014 Pasal 9 ayat 1 stating that Every Child has the right to receive education and teaching in the context of developing his/her personality and level of intelligence according to his/her interests and talents. Teachers also agree that if

⁶ Lisa Molzana and Reno Fernandes, "Program Sekolah Ramah Anak Dalam Mewujudkan Pendidikan Anti Kekerasan Di Sekolah (Studi Kasus Di SMAN 3 Bukittinggi)," *Naradidik: Journal of Education and Pedagogy* 2, no. 1 (2023): 87–94.

there are students who are interested in participating in extracurricular activities at school but it turns out that they are not selected in the selection, this violates UUPA no 35 thun 2014 pasal 9 ayat 1. There should be no selection, all students have the right to participate in extracurricular activities. Extracurricular activities are activity programs that are implemented by students outside the classroom and outside of class hours with the aim of helping to develop the potential and talents of students.⁷

Teachers also strongly agree that it is important to have UUPA no 35 tahun 2014 Pasal 9 ayat 1a states that Every Child has the right to receive protection in educational units from sexual crimes and Violence committed by educators, education personnel, fellow students, and/or other parties. Teachers do not agree that physical punishment such as pinching, running around the field, standing in front of the class or under the flag given by the teacher to students is a form of "education" or providing a deterrent effect. Teachers agree that physical punishment such as pinching, running around the field, standing in front of the class or under the flag given by the teacher to students is a form of violence and violates UUPA. According to researchers, so that there are no acts of violence in madrasas, there needs to be socialization regarding bullying and violence. As expressed by Graciea (2023), it is currently important for schools to conduct socialization regarding the prevention of bullying and prevention of violence. Based on the results of interviews at MIN 2 Palangka Raya City, this activity has never been carried out. It's just that every time there is a case of violation of the rules, the child is given advice by both the homeroom teacher and the vice principal of the madrasah for educational participants. The results of the interview also showed that teachers did not agree that physical punishment in schools should be eliminated. Because physical punishment varies, there are light, moderate and severe. As long as the physical punishment is still light, such as push-ups, standing or running, it's okay. In fact, it will provide a deterrent effect for students. So teachers agree that physical punishment in schools must still exist to provide a deterrent effect. Deniati

⁷ Shilviana and Hamami, "Pengembangan Kegiatan Kokurikuler Dan Ekstrakurikuler."

(2023) in his research explained that giving effective punishment increases student discipline.⁸

Therefore, teachers at MIN 2 Palangka Raya City do not agree that teachers who give physical punishment should be reported to the authorities for violating UUPA, unless the physical punishment injures students. However, as long as the punishment is for educational purposes, it is permissible. At MIN 2 Palangka Raya City, in addition to punishment, there are also rewards or awards given to students at the end of each semester. Giving rewards or awards also has a significant influence on the child's personality. As expressed by Budiarmo (2023) in his research.⁹

Teachers strongly agree that teachers have the right to protection if there are parents who threaten them. Because the teacher's job is to educate at school. So there needs to be protection. In educating, teachers will definitely reprimand students if they make mistakes. Teachers also strongly agree that hitting fellow students is an act of violence. Strongly agree that hitting fellow students is a violation of UUPA no 35 tahun 2014 pasal 9 ayat 1a. Strongly agree that students who hit their friends must be reported to the school.

3. SD Muhammadiyah Pahandut Palangka Raya

Based on the results of interviews with teachers at Muhammadiyah Pahandut Elementary School, Palangka Raya City, it can be presented that the teachers strongly agree with the existence of UU no 35 tahun 2014 Pasal 9 ayat 1 stating that Every Child has the right to receive education and teaching in the context of developing their personality and level of intelligence according to their interests and talents. Even to realize this, the government is currently making education free. As mentioned by Supeni (2017) in his article which socializes free education.

⁸ Ernia Deniati et al., "Efektivitas Pemberian Reward Melalui Metode Token Ekonomi Untuk Meningkatkan Kedisiplinan Anak Usia Dini 4-6," *JCE (Journal of Childhood Education)* 7, no. 1 (2023): 187-92.

⁹ Aji Budiarmo, "Efektivitas Penggunaan Reward Dan Punishment Untuk Meningkatkan Keberhasilan Pendidikan Karakter Di Sekolah Dasar," *Education: Jurnal Sosial Humaniora Dan Pendidikan* 3, no. 1 (2023): 52-64.

The interview results also showed that teachers also agreed that if there were students who were interested in participating in extracurricular activities at school but were not selected in the selection, this violates UUPA no 35 thun 2014 pasal 9 ayat 1. There should be no need for selection in extracurricular activities. Because extracurricular activities are activity programs whose implementation is carried out by students outside the classroom and outside of class hours with the aim of helping to develop the potential and talents of students (Shilviana, 2020).

Teachers also strongly agree that it is important to have UUPA no. 35 of 2014 Article 9 paragraph 1a states that Every Child has the right to receive protection in educational units from sexual crimes and Violence committed by educators, education personnel, fellow students, and/or other parties. Violence According to Molzana (2023) it is important for schools and madrasas to internalize anti-violence education, so that students have an anti-violence spirit. To create a conducive learning environment in this case, teachers must use innovative learning methods and can make students active in the learning process. One of the right methods is the Reward and Punishment method. Reward is a way for someone to give an award to someone for doing something right.¹⁰

When there is a reward, there will definitely be a punishment or punishment for the mistake made. However, teachers at Muhammadiyah Elementary School in Palangka Raya City do not agree that physical punishment such as pinching, running around the field, standing in front of the class or under the flag given by the teacher to students is a form of "education" or provides a deterrent effect. Because it can be replaced with other alternative punishments such as singing or memorizing surahs. Therefore, teachers agree that physical punishment such as pinching, running around the field, standing in front of the class or under the flag given by the teacher to students is a form of violence and violates the UUPA.

So teachers also strongly agree that physical punishment in schools must be eliminated. Punishment or sanctions are carried out when certain targets are not

¹⁰ Mila Sabartiningsih, Jajang Aisyul Muzakki, and Durtam Durtam, "Implementasi Pemberian Reward Dan Punishment Dalam Membentuk Karakter Disiplin Anak Usia Dini," *AWLADY: Jurnal Pendidikan Anak* 4, no. 1 (2018): 60–77.

achieved. Or there is a child's behavior that is not in accordance with the norms in the school (Amirudin et al., 2020), but punishment can be replaced by agreement. For example, if you are late for school, the agreement is to increase memorization of surahs, etc. So the teacher is of the opinion that he does not agree that physical punishment in schools must still exist to provide a deterrent effect.

The results of the interview with the teacher, he argued that he did not agree that teachers who gave physical punishment should be reported to the authorities for violating the UUPA. Because teachers have the right to protection if there are parents who threaten. Strongly agree that hitting fellow students is an act of violence. Strongly agree that hitting fellow students is a violation of UUPA no 35 tahun 2014 pasal 9 ayat 1a. Strongly agree that students who hit their friends must be reported to the school. To minimize fights in class between students, learning activities are monitored by CCTV. According to Molzana (2023) using CCTV as a means of supervising students in the school environment.¹¹

4. SDIT Al Furqan Palangka Raya

Based on the results of interviews with teachers at SD IT Al-Furqon Palangka Raya City, data can be presented that teachers strongly agree with the existence of UU no 35 tahun 2014 Pasal 9 ayat 1 stating that Every Child has the right to receive education and teaching in the context of developing their personality and level of intelligence according to their interests and talents. Teachers also agree that if there are students who are interested in participating in extracurricular activities at school but it turns out that they are not selected in the selection, this violates UU no 35 tahun 2014 Pasal 9 ayat 1.

Teachers also strongly agree that it is important to have UUPA no 35 tahun 2014 Pasal 9 ayat 1a stating that Every Child has the right to receive protection in educational units from sexual crimes and Violence committed by educators, education personnel, fellow students, and/or other parties. Violence According to Molzana (2023) it is important for schools and madrasas to internalize Anti-Violence Education, so that students have an anti-violence spirit. Therefore, at SD

¹¹ Molzana and Fernandes, "Program Sekolah Ramah Anak Dalam Mewujudkan Pendidikan Anti Kekerasan Di Sekolah (Studi Kasus Di SMAN 3 Bukittinggi)."

IT Al-Furqon Palangka Raya, every violation is recorded in a case book. To then be given guidance.

Students who make mistakes or violations will then be given counseling guidance by teachers who have been assigned as counseling teachers. As stated by Nurahman (2019) that it is important to have counseling guidance in schools so that when students make mistakes they immediately get guidance. The same thing was also expressed by Batubara (2020) Counseling guidance has many benefits for elementary school children.¹²

Counseling guidance provides many benefits for elementary school children so that their hearts are aware that breaking the rules is wrong. Therefore, the results of interviews with teachers stated that they did not agree that physical punishment such as pinching, running around the field, standing in front of the class or under the flag given by the teacher to students is a form of "education" or providing a deterrent effect. Agree if physical punishment such as pinching, running around the field, standing in front of the class or under the flag given by the teacher to students is a form of violence and violates the UUPA.

Teachers also strongly agree that physical punishment in schools must be eliminated and disagree if physical punishment in schools must remain to provide a deterrent effect. Because it can be handled by giving advice. Even so, if there is a teacher who gives physical punishment, the teacher of SD IT Al-Furqon does not agree that the teacher who gives physical punishment should be reported to the authorities for violating UUPA.

Teachers Strongly agree that teachers have the right to protection if there are parents who threaten them. Strongly agree that hitting fellow students is an act of violence. Strongly agree that hitting fellow students is a violation of UUPA no 35 tahun 2014 pasal 9 ayat 1a. Strongly agree that students who hit their friends must be reported to the school.

CONCLUSION

¹² Hamdan Husein Batubara and Dessy Noor Ariani, "Penyelenggaraan Bimbingan Dan Konseling Di Sekolah Dasar," *Jurnal Pendidikan: Teori, Penelitian, Dan Pengembangan* 3, no. 4 (2018): 447–52.

The perception of all teachers from 4 schools stated that they strongly agree with the existence of UU no 35 tahun 2014 Pasal 9 ayat 1 stating that Every Child has the right to receive education and teaching in the context of developing his/her personality and level of intelligence according to his/her interests and talents. Teachers also do not agree if there are students who are interested in participating in extracurricular activities at school but it turns out that he/she is not selected in the selection, this violates UU no 35 tahun 2014 Pasal 9 ayat 1. Teachers also strongly agree that it is important to have UUPA no 35 tahun 2014 Pasal 9 ayat 1a stating that Every Child has the right to receive protection in educational units from sexual crimes and Violence committed by educators, education personnel, fellow students, and/or other parties. However, there are different views on physical punishment such as pinching and running on the field.

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