

# IMPLEMENTATION AND EFFECTIVENESS OF MODERATE CATEGORY SANCTIONS ON HIGH SCHOOL TEACHERS WITH CIVIL SERVANT STATUS IN TANA TORAJA REGENCY

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## **Abstract**

*This study aims to analyze the mechanisms and factors influencing the effectiveness of implementing medium-level sanctions on Civil Servants (ASN) serving as high school teachers in Tana Toraja Regency. The research method used is qualitative with a case study approach. The results show that the sanction implementation mechanism includes violation identification, preliminary investigation, violation notification, disciplinary hearings, sanction determination, sanction implementation, monitoring and evaluation, as well as reporting and documentation. Factors influencing the effectiveness of sanction implementation include understanding of disciplinary regulations, commitment and support from leadership, transparency and accountability of the process, human resources and investigation capacity, organizational culture and compliance, monitoring and supervision systems, and the level of satisfaction and welfare of ASN. This study recommends enhancing regulation socialization, training for investigation officers, improving transparency and accountability, and strong leadership support to increase the effectiveness of disciplinary sanction implementation.*

*Keywords: sanction implementation, high school teachers, disciplinary actions.*

## **1. Introduction**

Civil Servants (Aparatur Sipil Negara, ASN) play a crucial role in running the government and delivering public services in Indonesia. Among the essential components of the ASN are teachers who work in Senior High Schools (SMA), responsible for educating the next generation of the nation. However, in the course of their duties, it is not uncommon to find ASN members who commit disciplinary violations. Therefore, the government has established various types of disciplinary sanctions to ensure compliance and professionalism among ASN, including moderate-category sanctions.

The primary objective of implementing disciplinary sanctions against ASN who violate regulations is to improve performance, maintain integrity, and promote discipline among ASN. According to Government Regulation No. 53 of 2010 concerning Civil Servant Discipline, moderate-category sanctions include a one-level demotion for one year, a one-year delay in periodic salary increases, and a one-year delay in promotions. Although these regulations are designed to enforce discipline, their implementation in the field often faces various challenges and obstacles.

The process of implementing disciplinary sanctions involves several stages, starting from identifying violations, conducting investigations, determining the type of sanction, to executing and monitoring the sanction. Each of these stages requires good coordination among various related parties, including school principals, the Department of Education, and the Regional Civil Service Agency. Additionally, a strong understanding of disciplinary regulations among ASN is also a critical factor in the successful implementation of sanctions.

In Tana Toraja Regency, the implementation of disciplinary sanctions against high school teachers faces several challenges. One of the main issues is the lack of understanding among teachers regarding the applicable disciplinary rules. Many teachers do not fully grasp the consequences of the disciplinary violations they commit. Furthermore, resistance from those subjected to sanctions also poses a challenge. Some teachers feel that the sanctions imposed are unfair or too harsh, leading to dissatisfaction and protests.

The limitations of human resources and facilities also hinder the investigation and implementation of sanctions. In some cases, investigations into disciplinary violations are conducted incompletely or inadequately, resulting in inaccurate decisions. Additionally, monitoring the implementation of sanctions is often ineffective, causing the sanctions imposed to not be carried out as expected.

## **2. Methodology**

This research employs an empirical legal research method with a qualitative approach. This method was chosen to gain an in-depth understanding of the process of implementing moderate-category sanctions against Civil Servants (ASN) who serve as Senior High School (SMA) teachers in Tana Toraja Regency. Primary data was obtained through in-depth interviews with key informants, including high school teachers who received moderate-category sanctions, officials from the Regional Civil Service Agency (BKD), and school principals. The interviews were conducted in a structured manner using a pre-prepared interview guide to ensure consistency in the information collected. Secondary data was obtained through document studies, including relevant regulations on ASN discipline, investigation reports on disciplinary violations, and other related documents. This data was used to support and enrich the analysis of the primary data.

Data analysis was conducted qualitatively using thematic analysis methods. The data was analyzed to identify key themes related to the process of implementing disciplinary sanctions, the factors influencing the effectiveness of implementation, and the challenges faced in the process. To ensure the validity of the data, this study employed source triangulation techniques, where information obtained from interviews was compared with data from documents and field observations. This was done to minimize bias and ensure data accuracy. The research stages included planning, data collection, data analysis, and reporting of research findings. Each stage was carried out according to a predetermined schedule to ensure the smoothness and accuracy of the research process.

### **3. Discussion**

#### **A. Mechanisms and Procedures for Implementing Moderate Sanctions Against Civil Servants (ASN) Serving as Senior High School Teachers in Tana Toraja Regency**

The process of implementing moderate-category sanctions against Civil Servants (ASN) who serve as Senior High School (SMA) teachers in Tana Toraja Regency involves various systematic and structured stages. These stages are regulated by Government Regulation No. 53 of 2010 concerning Civil Servant Discipline, supported by local regulations, as well as guidelines from the National Civil Service Agency (BKN) and the Ministry of Education and Culture.

##### **1. Violation Identification**

The first step in the sanction implementation mechanism is identifying the violations committed by ASN. These violations can be identified through reports from direct supervisors, complaints from the public, or results from internal inspections and audits. In the context of high school teachers in Tana Toraja Regency, common violations include unauthorized absences, breaches of the teacher's code of ethics, and non-compliance with school regulations. For example, prolonged absences of a teacher without official permission can disrupt the teaching and learning process and disadvantage students.

##### **2. Preliminary Investigation**

After identifying the violation, the next step is to conduct a preliminary investigation to verify the accuracy of the violation report. This investigation is typically conducted by a team formed by the school principal or the Department of Education. The investigation team is responsible for gathering evidence, interviewing witnesses, and documenting initial findings. An effective preliminary investigation requires transparency and openness from all involved parties. The success of the investigation also largely depends on the competency of the investigation team in collecting and analyzing the available evidence.

##### **3. Violation Notification**

If the preliminary investigation results indicate a disciplinary violation, the ASN in question will be issued a violation notification letter. This letter contains information about the type of violation alleged, the ASN's rights in the disciplinary process, and the schedule for the disciplinary hearing, if necessary. This notification is crucial to ensuring that the ASN has a fair opportunity to defend themselves and prepare arguments and supporting evidence.

##### **4. Disciplinary Hearing**

The disciplinary hearing is a formal forum where the ASN accused of violating discipline is given the opportunity to defend themselves. The hearing is presided over by a direct supervisor or an authorized official. During the hearing, the ASN may present witnesses, submit evidence, and provide statements related to the alleged violation. The disciplinary hearing must be conducted fairly and transparently to ensure that decisions are made based on strong facts and evidence. A transparent disciplinary hearing can enhance the ASN's trust in the disciplinary enforcement system.

##### **5. Sanction Determination**

Based on the results of the disciplinary hearing, the authorized official will determine the appropriate type of sanction. For moderate-category violations, the sanctions that may be

imposed include a one-level demotion for one year, a one-year delay in periodic salary increases, or a one-year delay in promotions. The determination of the sanction is documented in a decision letter signed by the authorized official. The sanction determination process must consider all the evidence and testimony presented during the disciplinary hearing to ensure that the imposed sanction is proportional to the level of the violation committed.

#### **6. Sanction Implementation**

After determining the sanction, the next stage is the implementation of the sanction. The authorized official, in this case, the school principal or the Department of Education, is responsible for ensuring that the sanction is carried out according to the established decision. Monitoring of the sanction implementation is conducted to ensure the ASN's compliance with the imposed sanction. Consistent and timely implementation of sanctions is crucial to maintaining the integrity of the disciplinary process and preventing future disciplinary violations.

#### **7. Monitoring and Evaluation**

Monitoring and evaluation of the sanction implementation are essential components of the sanction implementation mechanism. Monitoring is conducted periodically to ensure that the ASN complies with the imposed sanctions and demonstrates the expected behavioral changes. Evaluation is also conducted to assess the effectiveness of the sanctions in improving discipline and performance among ASN. The results of monitoring and evaluation can be used to improve future disciplinary enforcement processes and ensure that the imposed sanctions have an effective deterrent effect.

#### **8. Reporting and Documentation**

Each stage of the sanction implementation process is well-documented for reporting and archiving purposes. This documentation includes investigation reports, minutes of disciplinary hearings, sanction decision letters, and sanction implementation monitoring reports. Comprehensive and organized archiving facilitates the evaluation process and serves as evidence of the accountability of the sanction implementation. Proper documentation is also essential to ensure that all procedures have been carried out in accordance with applicable regulations and to avoid future disputes.

The implementation of moderate-category sanctions against ASN in Tana Toraja Regency shows that despite clearly regulated mechanisms and procedures, challenges in implementation remain. These challenges include resistance from sanctioned ASN, limited resources for thorough investigations, and a lack of understanding of the applicable disciplinary regulations among ASN. Therefore, efforts are needed to increase the socialization of disciplinary regulations, provide training for investigation officers, and enhance transparency in the disciplinary enforcement process. Additionally, support from school leaders and relevant institutions is crucial to ensure that the disciplinary enforcement process runs smoothly and effectively.

### **B. Factors Influencing the Effectiveness of Implementing Moderate Sanctions Against Civil Servants (ASN) Serving as Senior High School Teachers in Tana Toraja Regency**

The effectiveness of implementing moderate-category sanctions against Civil Servants (ASN) who serve as Senior High School (SMA) teachers in Tana Toraja Regency is influenced by various factors. These factors can be classified into internal and external factors.

### **1. Understanding and Knowledge of Disciplinary Regulations**

One of the key factors influencing the effectiveness of sanction implementation is the understanding and knowledge of ASN regarding the applicable disciplinary regulations. Many ASN members do not fully understand the disciplinary regulations outlined in Government Regulation No. 53 of 2010 concerning Civil Servant Discipline. Intensive and ongoing socialization of disciplinary regulations is necessary to ensure that all ASN members understand their rights and obligations, as well as the consequences of disciplinary violations.

### **2. Commitment and Support from Leadership**

Commitment and support from leadership, both at the school level and within the Department of Education, are crucial in ensuring the effectiveness of sanction implementation. Leaders who are firm and consistent in enforcing disciplinary regulations set a good example and encourage ASN to comply with existing regulations. Leadership support also includes providing the necessary facilities and resources to effectively conduct investigation processes and disciplinary hearings.

### **3. Transparency and Accountability of the Process**

Transparency and accountability in each stage of the sanction implementation process are also important factors. A transparent and accountable process enhances ASN's trust in the disciplinary enforcement system and reduces resistance to imposed sanctions. In the context of Tana Toraja Regency, transparency can be improved through clear dissemination of information regarding disciplinary enforcement procedures and the outcomes of investigations and disciplinary hearings.

### **4. Human Resources and Investigative Capacity**

The availability of competent human resources and the capacity to conduct thorough investigations also affect the effectiveness of sanction implementation. Investigations conducted by poorly trained teams or those lacking adequate resources can result in inaccurate findings, thereby hindering the enforcement of appropriate and fair sanctions. Training for investigative officers and the provision of adequate resources are important steps to enhance investigative capacity.

### **5. Organizational Culture and Compliance**

An organizational culture that supports compliance with disciplinary regulations also plays a significant role in the effectiveness of sanction implementation. In the school environment, a culture that prioritizes integrity, discipline, and professionalism encourages teachers to adhere to disciplinary regulations and avoid violations. Programs aimed at building a culture of compliance, such as ethics and integrity training, can positively contribute to the enforcement of ASN discipline.

### **6. Supervision and Monitoring System**

An effective supervision and monitoring system also influences the success of disciplinary sanction implementation. Periodic and comprehensive monitoring ensures that the imposed sanctions are properly executed and have the desired deterrent effect. In this regard, information

technology can be utilized to enhance the efficiency and effectiveness of the monitoring and evaluation process.

#### **7. Level of Satisfaction and Well-Being of ASN**

The level of satisfaction and well-being of ASN can also affect their compliance with disciplinary regulations. ASN who feel valued and satisfied with their working conditions are more likely to be disciplined and motivated to perform well. Conversely, ASN who feel dissatisfied or experience injustice in the workplace may be more prone to committing disciplinary violations. Therefore, efforts to improve ASN welfare and job satisfaction are also important in supporting disciplinary enforcement.

The effectiveness of implementing moderate-category sanctions against ASN serving as high school teachers in Tana Toraja Regency is influenced by various interrelated factors. Efforts to enhance understanding of disciplinary regulations, leadership support, process transparency, investigative capacity, organizational culture, supervision systems, and ASN welfare are essential steps to ensure the successful enforcement of disciplinary sanctions.

#### **4. Conclusion**

The process of implementing moderate-category sanctions against Civil Servants (ASN) who serve as Senior High School (SMA) teachers in Tana Toraja Regency demonstrates that there are clear and systematic mechanisms and procedures regulated by legislation. These mechanisms include stages such as violation identification, preliminary investigation, violation notification, disciplinary hearings, sanction determination, sanction implementation, monitoring and evaluation, as well as reporting and documentation. However, challenges in implementing these sanctions still exist, including resistance from sanctioned ASN, limited human resources and facilities, and a lack of understanding among ASN about disciplinary regulations.

The factors influencing the effectiveness of implementing moderate-category sanctions against ASN in Tana Toraja Regency include understanding and knowledge of disciplinary regulations, commitment and support from leadership, transparency and accountability of the process, human resources and investigative capacity, organizational culture and compliance, supervision and monitoring systems, and the level of satisfaction and well-being of ASN. A good understanding of disciplinary regulations and strong support from leadership can enhance ASN compliance with applicable regulations. Additionally, transparency and accountability in the disciplinary enforcement process, along with effective monitoring, play crucial roles in ensuring that the imposed sanctions are properly executed and have the desired deterrent effect.

To improve the effectiveness of disciplinary sanction implementation against ASN serving as high school teachers in Tana Toraja Regency, continuous efforts are needed to enhance understanding of disciplinary regulations, strengthen leadership commitment and support, increase transparency and accountability of the process, improve investigative capacity, build an organizational culture that supports compliance, refine supervision and monitoring systems, and enhance the well-being and job satisfaction of ASN. By doing so, it is expected that a more disciplined, professional, and productive working environment will be created among ASN, particularly high school teachers in Tana Toraja Regency.

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