

GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA

NUMBER 37 OF 2009

CONCERNING

LECTURERS

WITH THE BLESSINGS OF THE ALMIGHTY GOD,
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering : to implement the provisions of Article 47 paragraph (3), Article 51 paragraph (2), Article 53 paragraph (4), Article 55 paragraph (4), Article 56 paragraph (2), Article 57 paragraph (3), Article 61 paragraph (2), Article 62 paragraph (2), Article 63 paragraph (2), Article 64 paragraph (2), Article 74 paragraph (5), and Article 76 paragraph (3) of Law Number 14 of 2005 concerning Teachers and Lecturers, it is necessary to establish a Government Regulation concerning Lecturers;

In view of : 1. Article 5 paragraph (2) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 14 of 2005 concerning Teachers and Lecturers (State Gazette of the Republic of Indonesia Year 2005 Number 157, Supplement to State Gazette of the Republic of Indonesia Number 4586);

HAS DECIDED:

To Stipulate :

GOVERNMENT REGULATION CONCERNING LECTURERS

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Government Regulation, the following terms shall have the following meanings:

1. Lecturer is a professional educator and scholar with the primary task of transforming, developing, and disseminating knowledge, technology, and art through education, research, and community service.
2. Permanent lecturer is a lecturer who works full-time and has a permanent status as an educator in a specific higher education institution.
3. Higher education institution is a group of educational services that provide education at the higher education level.
4. Certification is the process of granting an educator certificate to a lecturer.
5. Educator certificate is a formal recognition given to a lecturer as a professional.
6. Salary is the compensation received by a lecturer for their work from the higher education institution or Higher Education Unit in the form of financial payments periodically according to the prevailing laws and regulations.
7. University is a higher education institution that can provide academic, professional, and/or vocational programs.
8. Semester credit unit, abbreviated as SKS, is the student workload and the teaching workload of lecturers in a semester credit system.
9. Employment agreement or collective work agreement is a written agreement between a lecturer and the higher education institution or Higher Education Unit that sets forth the terms and conditions of employment and the rights and obligations of the parties based on the principles of equality and fairness according to the prevailing laws and regulations.
10. Government is the central government.
11. Regional government is the provincial government, regency government, or city government.
12. Society is a non-governmental group of Indonesian citizens who have an interest and role in education.
13. Special region is a remote or underdeveloped region; an area with isolated indigenous communities; border areas with other countries; regions experiencing natural disasters, social disasters, or regions in other emergency situations.
14. Department is a department that handles government affairs in national education.

15. Minister is the minister in charge of government affairs in national education.

CHAPTER II CERTIFICATION

Article 2

Lecturers are required to have academic qualifications, competence, an educator certificate, physical and mental health, and meet other qualifications required by the higher education institution where they serve, as well as possess the ability to realize the goals of national education.

Article 3

An educator certificate for lecturers shall be granted after fulfilling the following requirements:

- a. Having work experience as an educator at a university for at least 2 (two) years;
- b. Holding an academic position at least as an assistant lecturer; and
- c. Passing the certification conducted by the university that organizes the procurement program for educational personnel at the university designated by the Government.

Article 4

- (1) Educator certification for lecturers shall be carried out through competency tests to obtain an educator certificate.
- (2) The competency test referred to in paragraph (1) shall be conducted in the form of a portfolio assessment.
- (3) The portfolio assessment as referred to in paragraph (2) is an assessment of academic and professional experiences using a lecturer's portfolio.
- (4) The lecturer's portfolio assessment as referred to in paragraph (3) is conducted to determine recognition of the lecturer's professional abilities, in the form of an assessment of a collection of documents describing:
 - a. Academic qualifications and performance of the university's tri dharma (three main duties);

- b. Perceptions from superiors, colleagues, students, and oneself regarding the possession of pedagogic, professional, social, and personal competencies; and
 - c. Self-statement regarding the lecturer's contributions to the implementation and development of the university's tri dharma.
- (5) Lecturers who pass the portfolio assessment as referred to in paragraph (3) shall receive an educator certificate.
 - (6) Lecturers who do not pass the portfolio assessment as referred to in paragraph (3) shall engage in professional development activities to complete their portfolio documents for reassessment in the next certification period.
 - (7) Further provisions regarding educator certification for lecturers as referred to in paragraphs (1) to (6) shall be regulated by the Minister.

Article 5

- (1) Educator certification for lecturers is conducted by accredited universities that organize educational personnel procurement programs designated by the Government.
- (2) The organizers of educator certification for lecturers as referred to in paragraph (1) are determined based on criteria of having relevant study programs and/or accredited A-level higher education institutions.
- (3) In the event that the criteria as referred to in paragraph (2) are not met, the Minister may determine other criteria necessary for designating a university as the organizer of educator certification for lecturers.
- (4) The number of participants in educator certification for lecturers each year is determined by the Minister.
- (5) Further provisions regarding the criteria for universities organizing educator certification for lecturers as referred to in paragraphs (2) and (3) shall be regulated by the Minister.

Article 6

Educator certification for lecturers must be carried out objectively, transparently, and accountably.

Article 7

The educator certificate for lecturers is valid as long as the lecturer performs duties as a lecturer in accordance with the provisions of the prevailing laws and regulations.

CHAPTER III

RIGHTS

Part One

Professional Allowance

Article 8

- (1) The professional allowance is given to lecturers who meet the following requirements:
 - a. Having an educator certificate that has been given a lecturer registration number by the Department;
 - b. Carrying out the tri dharma of the university with a workload of at least 12 (twelve) SKS and at most 16 (sixteen) SKS per semester in accordance with their academic qualifications, with the following conditions:
 - 1) A workload of education and research at least equivalent to 9 (nine) SKS carried out at the respective university; and
 - 2) The community service workload can be carried out through community service activities organized by the respective university or through other institutions;
 - c. Not being bound as a permanent employee at another institution outside the higher education institution where they are stationed;
 - d. Registered with the Department as a permanent lecturer; and
 - e. A maximum age of:
 - 1) 65 (sixty-five) years; or
 - 2) 70 (seventy) years for professors who receive an extension of their term of duty in accordance with the provisions of the prevailing laws and regulations.
- (2) The Minister may determine a higher age limit than 65 (sixty-five) years as referred to in paragraph (1) letter e point 1) for lecturers who:
 - a. Serve at higher education institutions in special regions;
 - b. Have special expertise; or
 - c. Are needed based on considerations of national interest.

- (3) Permanent lecturers who are assigned as leaders of the respective university up to the level of department heads shall receive a professional allowance as long as they carry out educational duties at least equivalent to 3 (three) SKS at the respective university.
- (4) The Minister may stipulate different requirements for granting the professional allowance as referred to in paragraphs (1) and (3), for holders of an educator certificate serving:
 - a. In education programs in special regions; or
 - b. As instructors in specialized fields.
- (5) The professional allowance for lecturers is allocated through the State Revenue and Expenditure Budget.

Part Two

Special Allowance

Article 9

- (1) Lecturers appointed by the Government or higher education institutions or community-based higher education institutions assigned by the Government to universities in special regions are entitled to receive special allowances provided by the Government.
- (2) The special allowance as referred to in paragraph (1) is allocated through the State Revenue and Expenditure Budget.
- (3) The special allowance as referred to in paragraph (1) is given to lecturers only if they fulfill their duties as lecturers in accordance with the provisions of the prevailing laws and regulations.
- (4) The determination and details of duties as lecturers, as well as periodic evaluations regarding the special allowance in special regions, shall be regulated by the Minister.

Part Three

Honorarium Allowance

Article 10

- (1) The Government grants an honorarium allowance to professors appointed by higher education institutions or equivalent higher education institutions, amounting to 2 (two) times the basic salary of

professors appointed by the Government, at the same level, length of service, and qualifications.

- (2) Educational institutions referred to in paragraph (1) include the Government and the community.
- (3) Higher education institutions referred to in paragraph (1) include higher education institutions organized by the Government and higher education institutions organized by the community.
- (4) The honorarium allowance as referred to in paragraph (1) is given to professors who meet the following requirements:
 - a. Having an educator certificate that has been given a lecturer registration number by the Department;
 - b. Carrying out the tri dharma of the university with a workload of at least 12 (twelve) SKS and at most 16 (sixteen) SKS per semester in accordance with their academic qualifications, with the following conditions:
 - 1) A workload of education and research at least equivalent to 9 (nine) SKS carried out at the respective university; and
 - 2) The community service workload can be carried out through community service activities organized by the respective university or through other institutions;
 - c. Not being bound as a permanent employee at another institution outside the higher education institution where they are stationed;
 - d. Registered with the Department as a permanent lecturer; and
 - e. A maximum age of:
 - 1) 65 (sixty-five) years; or
 - 2) 70 (seventy) years for professors who receive an extension of their term of duty in accordance with the provisions of the prevailing laws and regulations.
- (5) Professors who are assigned as leaders of the respective university up to the level of department heads, study programs, or other similar titles, shall receive an honorarium allowance as long as they carry out educational duties at least equivalent to 3 (three) SKS at the respective university.
- (6) The honorarium allowance for professors as referred to in paragraph (1) is allocated through the State Revenue and Expenditure Budget.
- (7) Further provisions regarding the honorarium allowance for professors shall be regulated by the Minister.

Part Four
Equivalence of Allowances

Article 11

- (1) The professional allowance, special allowance, and honorarium allowance for permanent lecturers who are not civil servants are granted in accordance with the equivalence of level, length of service, and qualifications applicable to civil servant lecturers.
- (2) Further provisions regarding the equivalence as referred to in paragraph (1) shall be regulated by the Minister.

Part Five
Additional Benefits

Article 12

- (1) The Government ensures the realization of additional benefits for lecturers appointed by the Government, higher education institutions, or community-based higher education institutions.
- (2) Additional benefits as referred to in paragraph (1) are provided based on the principle of appreciation for achievements.
- (3) Achievements as referred to in paragraph (2) include excellence in:
 - a. Producing academically or non-academically outstanding students at the national and/or international level;
 - b. Writing or compiling book manuscripts published by official institutions;
 - c. Creating creative or innovative works recognized at the regional, national, and/or international levels;
 - d. Obtaining intellectual property rights;
 - e. Receiving awards in the fields of science, technology, arts, culture, and/or sports;
 - f. Publishing research papers in accredited national journals and/or journals with international reputation;
 - g. Performing duties and responsibilities as lecturers with good dedication; or

- h. Achieving performance results exceeding targets set by the higher education institution.
- (4) The granting of any form of additional benefits is prioritized for lecturers who have not received additional benefits.
- (5) Additional benefits as referred to in paragraphs (1) and (2) may be granted to lecturers who meet the following requirements:
- a. Having an educator certificate that has been given a lecturer registration number by the Department;
 - b. Carrying out the tri dharma of the university with a workload of at least 12 (twelve) SKS and at most 16 (sixteen) SKS per semester in accordance with their academic qualifications, with the following conditions:
 - 1) A workload of education and research at least equivalent to 9 (nine) SKS carried out at the respective university; and
 - 2) The community service workload can be carried out through community service activities organized by the respective university or through other institutions;
 - c. Not being bound as a permanent employee at another institution outside the higher education institution where they are stationed; and
 - d. A maximum age of:
 - 1) 65 (sixty-five) years; or
 - 2) 70 (seventy) years for professors who receive an extension of their term of duty.
- (6) Further provisions regarding the implementation of the assessment of lecturers' achievements as referred to in paragraph (3) shall be determined by the higher education institution in accordance with the provisions of the prevailing laws and regulations.

Article 13

Additional benefits are obtained in the form of:

- a. Educational allowances, educational insurance, scholarships, and awards for lecturers;
- b. Facilities for obtaining education for the children of lecturers, health services, or other forms of welfare.

Article 14

The Minister may determine different requirements for granting additional benefits from the provisions as referred to in Article 12 for lecturers serving in special regions or as instructors in specialized fields.

Article 15

- (1) The Government provides additional benefits in the form of funds for lecturers, both appointed by the Government and higher education institutions or community-based higher education institutions, and is allocated through the State Revenue and Expenditure Budget.
- (2) Regional governments may provide assistance for additional benefits for lecturers, both appointed by the Government and higher education institutions or community-based higher education institutions, and is allocated through the Regional Revenue and Expenditure Budget.

Article 16

- (1) The Government and/or regional governments provide additional benefits in the form of other welfare as referred to in Article 13 letter b in accordance with the provisions of the prevailing laws and regulations.
- (2) Higher education institutions or units of higher education institutions may provide additional benefits in the form of other welfare as referred to in Article 13 letter b.

Part Six

Promotion

Article 17

- (1) In carrying out their professional duties, lecturers have the right to be promoted according to their performance.
- (2) Promotion as referred to in paragraph (1) includes rank promotion and/or promotion in academic positions.

Article 18

- (1) Lecturers appointed by the Government may be placed in structural positions outside the university.

- (2) Placement in a structural position as referred to in paragraph (1) may be done after the lecturer has served as a lecturer for at least 8 (eight) years.
- (3) While occupying a structural position as referred to in paragraph (1), the lecturer forfeits the right to receive the professional allowance, functional allowance, honorarium allowance, special allowance, and additional benefits.
- (4) Lecturers placed in a structural position are temporarily released from their position if assigned full-time duties outside the lecturer position.
- (5) Lecturers placed in a structural position as referred to in paragraph (1) may be reassigned as lecturers and obtain lecturer rights in accordance with the provisions of the prevailing laws and regulations.
- (6) The rights of lecturers who are reassigned as referred to in paragraph (5), in the form of professional allowance, functional allowance, special allowance, and/or honorarium allowance, are given at the same amount as the allowances in the last rank and class in the lecturer position before occupying the structural position.

Part Seven

Appreciation

Article 19

- (1) Lecturers who carry out their professional duties have the right to receive appreciation.
- (2) Lecturers who receive appreciation as referred to in paragraph (1) are outstanding lecturers, show exceptional dedication, and/or serve in special regions.
- (3) Outstanding lecturers as referred to in paragraph (2) include lecturers who:
 - a. Produce academically or non-academically outstanding students at the national and/or international level;
 - b. Write or compile book manuscripts published by official institutions;
 - c. Create creative or innovative works recognized at the regional, national, and/or international levels;
 - d. Obtain intellectual property rights;

- e. Receive awards in the fields of science, technology, arts, culture, and/or sports;
 - f. Publish research papers in accredited national journals and/or journals with international reputation;
 - g. Perform duties and responsibilities as lecturers with good dedication; or
 - h. Achieve performance results exceeding targets set by the higher education institution.
- (4) Lecturers showing exceptional dedication as referred to in paragraph (2) are lecturers who carry out their duties with commitment, sacrifice time, energy, and thought far beyond the responsibilities set in their assignments.

Article 20

- (1) Appreciation to lecturers may be given in the form of awards, special rank promotion, financial benefits, certificates, and/or other forms of appreciation.
- (2) The award as referred to in paragraph (1) may be given to lecturers who have demonstrated dedication and loyalty to the Unitary State of the Republic of Indonesia as lecturers in accordance with the provisions of the prevailing laws and regulations.
- (3) Special rank promotion appreciation as referred to in paragraph (1) may be given to lecturers who have outstanding achievements and dedication, up to a maximum of 2 (two) times during their career as lecturers.
- (4) Special rank promotion appreciation may be given to lecturers who serve in special regions and carry out their duties in accordance with the provisions of the prevailing laws and regulations, up to a maximum of 1 (one) time during their career as lecturers.
- (5) Financial benefits, certificates, and/or other forms of appreciation as referred to in paragraph (1) may be given to lecturers who have achievements recognized by the higher education institution, regents or mayors, governors, the Minister, and the President.
- (6) Appreciation in the form of awards, special rank promotion, financial benefits, certificates, and/or other forms of appreciation as referred to in paragraph (1) may be given by the leaders of higher education institutions, regents or mayors, governors, the Minister, and the President.

- (7) The Government awards a retirement award (*tunjangan purnabakti*) to lecturers who are close to retirement in the form of a retirement allowance equal to 5 (five) times their basic salary.
- (8) Appreciation to lecturers may be given on the occasion of the celebration of Indonesia's Independence Day, provincial anniversary, district or city anniversary, higher education institution anniversary, national education day, and/or other significant days.
- (9) Appreciation as referred to in paragraph (1) may be given by the community.
- (10) Provisions regarding the form and granting of appreciation as referred to in paragraphs (1) to (8) shall be implemented in accordance with the provisions of the prevailing laws and regulations.

Article 21

- (1) Lecturers who die while carrying out their duties in special regions shall be honored.
- (2) The honor to lecturers who die as referred to in paragraph (1) may be given by the Government, regional governments, the community, professional organizations, and/or higher education institutions.
- (3) The Government and/or regional governments are obligated to provide funeral expenses, including travel expenses for the funeral of lecturers who die while carrying out their professional duties as lecturers.

Part Eight

Protection in Carrying Out Duties and Intellectual Property Rights

Article 22

- (1) Lecturers have the right to protection in carrying out their duties in the form of safety and security guarantees from the Government, regional governments, higher education institutions, professional organizations, and/or the community in accordance with their authority.
- (2) Safety and security guarantees in carrying out duties as referred to in paragraph (1) are obtained through legal protection, professional protection, and occupational health and safety protection.

Article 23

- (1) Lecturers have the right to receive legal protection against violence, threats, discriminatory treatment, intimidation, or unfair treatment from university leaders, students, parents of students, the community, bureaucracy, and/or other parties.
- (2) Lecturers have the right to receive professional protection against termination of employment not in accordance with the prevailing laws and regulations, unreasonable rewards, restrictions on expressing opinions, harassment of the profession, and other restrictions or prohibitions that may hinder lecturers in carrying out their professional duties.
- (3) Lecturers have the right to receive occupational health and safety protection from higher education institutions or units of higher education institutions against the risk of work security disturbances, work accidents, work fires, natural disasters, occupational health, and/or other risks.

Article 24

- (1) In the context of academic activities, lecturers are protected in using data and sources categorized as prohibited in accordance with the provisions of the prevailing laws and regulations.
- (2) Academic activities as referred to in paragraph (1) are activities of research devotion in accordance with the lecturer's expertise.
- (3) The use of data and sources categorized as prohibited by the prevailing laws and regulations as referred to in paragraph (1) shall be conducted in accordance with scientific principles, while maintaining confidentiality, and without causing harm to the state and/or other parties.

Article 25

- (1) Lecturers are entitled to intellectual property rights protection in accordance with the provisions of the prevailing laws and regulations.
- (2) Intellectual property rights as referred to in paragraph (1) include copyrights, patents, trademarks, industrial design rights, trade secrets, and integrated circuit layout design rights over all forms of academic and/or professional works.

Part Nine

Competence Improvement, Access to Learning Resources, Information, Learning Facilities, and Research and Community Service

Article 26

- (1) Lecturers have the opportunity to improve their competence, access learning resources, access information sources, access learning facilities, as well as the opportunity to conduct research and community service provided by the Government, regional governments, higher education institutions or units of higher education institutions, professional organizations, and/or the community, in accordance with their respective authorities.
- (2) Opportunities to improve competence as referred to in paragraph (1) include opportunities for further education, attending education and training, seminars, workshops, and similar activities.
- (3) Opportunities to access learning resources and information as referred to in paragraph (1) include opportunities to use sources of information that are not yet open to the public for the development of science, technology, arts, and/or sports in accordance with the provisions of the prevailing laws and regulations.
- (4) Opportunities to conduct research and community service as referred to in paragraph (1) include opportunities to obtain and/or utilize educational resources owned by the Government, regional governments, higher education institutions, or units of higher education institutions, and the community.

Article 27

- (1) Lecturers have access to utilize learning facilities and infrastructure provided by the Government, regional governments, higher education institutions, or units of higher education institutions, and the community.
- (2) In utilizing learning facilities and infrastructure as referred to in paragraph (1), lecturers are required to comply with the regulations established by the Government, regional governments, higher education institutions, or units of higher education institutions, and the community.

Part Ten
Academic Freedom, Freedom of Academic Expression, and Academic
Autonomy

Article 28

- (1) Lecturers have academic freedom, freedom of academic expression, and academic autonomy.
- (2) Academic freedom as referred to in paragraph (1) is the freedom possessed by lecturers to carry out academic activities related to education and the development of science, technology, arts, culture, and/or sports independently and responsibly.
- (3) Freedom of academic expression as referred to in paragraph (1) applies as part of academic freedom that allows lecturers to convey academic thoughts and opinions in academic forums organized by higher education institutions, in accordance with scientific principles, norms, and values, and in compliance with the provisions of the prevailing laws and regulations.
- (4) Academic autonomy as referred to in paragraph (1) is the independence and freedom of a branch of science, technology, arts, culture, and/or sports inherent in the uniqueness or specificity of the branch of science, technology, arts, culture, and/or sports in revealing, discovering, and/or maintaining truth according to its scientific paradigm to ensure the continuous growth of science.

Part Eleven

Assessment and Determination of Student Graduation

Article 29

- (1) Lecturers have the freedom to provide assessments and determine the graduation of students in accordance with the criteria and procedures set by the higher education institution and prevailing laws and regulations.
- (2) The assessment and determination of student graduation as referred to in paragraph (1) shall be carried out by lecturers objectively, transparently, and accountably.

Part Twelve

Freedom of Association in Professional Organizations

Article 30

- (1) Lecturers have the freedom to join professional organizations or scientific professional organizations in accordance with the provisions of prevailing laws and regulations.
- (2) The freedom to join as referred to in paragraph (1) shall not interfere with the implementation of the Tri dharma of higher education, which is the responsibility of professionalism.

Part Thirteen

Leaves

Article 31

- (1) Lecturers appointed by the Government have the right to obtain leaves in accordance with the provisions of prevailing laws and regulations.
- (2) Lecturers appointed by higher education institutions or units of higher education institutions organized by the community have the right to obtain leaves in accordance with the employment agreement or collective labor agreement.

Article 32

- (1) In addition to the leaves referred to in Article 31, lecturers may obtain leaves for study and research or for the development of science, technology, arts, culture, and/or sports while still receiving their basic salary, fixed allowances attached to the salary, as well as other income in the form of professional allowances, special allowances, honorariums, and other benefits related to their duties as lecturers in full.
- (2) Leaves for study and research as referred to in paragraph (1) are granted by the head of the higher education institution to lecturers who hold the following functional positions:
 - a. Assistant lecturer or lecturer is entitled to a leave every 5 (five) years;
 - b. Senior lecturer or professor is entitled to a leave every 4 (four) years.
- (3) Study and research as referred to in paragraph (1) include activities:

- a. Non-degree education;
 - b. Research;
 - c. Writing textbooks;
 - d. Work practice in relevant businesses or industries in line with their duties;
 - e. Training relevant to their duties;
 - f. Community service;
 - g. Internship at other higher education institutions; or
 - h. Similar activities.
- (4) The results of study and research as referred to in paragraph (3) must be realized in the form of documents or academic reports that are accountable in academic forums.
 - (5) Leaves for study and research as referred to in paragraph (1) are granted for a maximum of 6 (six) months.
 - (6) The implementation of leaves for study and research as referred to in paragraph (1) is regulated by the higher education institution or unit of higher education institution.

Chapter IV

Mandatory Work and Service Bond

Article 33

- (1) In an emergency, the Government can impose mandatory work on lecturers and/or other Indonesian citizens who meet the academic qualifications of lecturers and the competence to carry out duties as lecturers in special areas within the territory of the Unitary State of the Republic of Indonesia.
- (2) An emergency situation as referred to in paragraph (1) is an extraordinary situation that results in a scarcity of lecturers in special areas, leading to the inability to conduct the tridharma of higher education in a normal manner in accordance with prevailing laws and regulations.
- (3) Indonesian citizens who may be assigned mandatory work as referred to in paragraph (1) are:
 - a. Individuals who possess a master's or doctoral degree; or

- b. Individuals who possess exceptional expertise and have received educational training, the equivalence of their academic positions is determined by the higher education institution or the receiving unit of higher education.
- (4) Mandatory work as referred to in paragraph (1) is implemented as a duty of a lecturer for a maximum of 2 (two) years.
- (5) The assignment of Indonesian citizens as lecturers in the framework of mandatory work as referred to in paragraph (1) is determined by the Minister.
- (6) Indonesian citizens assigned to carry out mandatory work as referred to in paragraph (3) shall receive mandatory work allowances equivalent to professional allowances, functional subsidies or special functional subsidies, special allowances, and/or honorariums for professors while carrying out their duties as lecturers in accordance with the determination of academic position equivalence.

Article 34

- (1) The Government can establish a service bond pattern for prospective lecturers to fulfill the national education development interests or regional development interests.
- (2) The higher education institution or unit of higher education institution determines policies and the implementation of service bonds for prospective lecturers to fulfill the interests of the respective higher education institution.
- (3) The service bond for prospective lecturers as referred to in paragraph (1) is intended to meet the needs of lecturers at the higher education institution in order to fulfill the National Education Standards and improve the quality of the implementation of the tridharma of higher education.
- (4) The need for prospective lecturer recipients of the service bond is based on the need for lecturers in each scientific field and/or professional field nationally.
- (5) The service bond is provided to students in master's programs or doctoral programs as prospective lecturers who receive educational assistance.
- (6) The educational assistance referred to in paragraph (5) is an investment cost provided by the higher education institution or unit of higher education institution, which includes:

- a. Tuition fees;
 - b. Book fees;
 - c. Learning facilities;
 - d. Research funds;
 - e. Living expenses; and
 - f. Health insurance.
- (7) The requirements for prospective lecturer recipients of the service bond include academic and non-academic requirements.
 - (8) The recruitment procedure for prospective lecturer recipients of the service bond shall at least include selection and determination of prospective recipients of the service bond.
 - (9) Further provisions regarding the requirements and recruitment procedures for prospective lecturer recipients of the service bond as referred to in paragraphs (5) and (6) are regulated by the Minister.

Article 35

- (1) Before commencing a service bond education, prospective lecturers must sign:
 - a. A written statement of their willingness to be appointed as civil servants and be placed in the territory of the Unitary State of the Republic of Indonesia; and
 - b. A service bond agreement.
- (2) The Government appoints prospective lecturers who have completed their service bond education as civil servants and places them according to the provisions as stated in paragraph (1).

Chapter V

Appointment, Placement, and Transfer

Article 36

- (1) The appointment and placement of lecturers appointed by the Government shall be carried out in accordance with the provisions of prevailing laws and regulations.
- (2) The appointment and placement of lecturers appointed by higher education institutions or units of higher education institutions

organized by the community shall be based on employment agreements or collective labor agreements.

- (3) The appointment and placement of lecturers as referred to in paragraphs (1) and (2) shall be based on national lecturer needs planning carried out by the Department through coordination with relevant agencies.

Article 37

- (1) Lecturers appointed by the Government or higher education institutions must sign a written statement of their willingness to be assigned to special areas for a minimum of 2 (two) years.
- (2) Lecturers serving in special areas are entitled to official residence provided by the Government or local government according to their authority.
- (3) The official residence as referred to in paragraph (2) meets the standards for habitation and is used while the respective lecturer serves in the special area.
- (4) The maintenance of the official residence as referred to in paragraphs (2) and (3) is the responsibility of the Government or local government according to their authority.
- (5) The right to occupy the official residence as referred to in paragraphs (2) and (3) is revoked if the respective lecturer fails to fulfill their duties as a lecturer.
- (6) Lecturers who have served as referred to in paragraph (1) have the right to be transferred after a replacement lecturer becomes available.
- (7) In the event of a vacancy in lecturers, the Government must provide a replacement lecturer to ensure the continuity of the implementation of the Tri dharma of higher education at the respective higher education institution.

Article 38

- (1) The transfer of lecturers appointed by the Government can be carried out between higher education institutions in accordance with the provisions of prevailing laws and regulations.
- (2) The transfer of lecturers appointed by the Government as referred to in paragraph (1) is based on the need for lecturers both at the national level and at the level of the higher education institution, in accordance with the provisions of prevailing laws and regulations.

- (3) The transfer of lecturers appointed by higher education institutions or units of higher education institutions organized by the community, whether at their own request or for the institution's interest, shall be based on employment agreements or collective labor agreements.

Chapter VI

Sanctions

Article 39

- (1) Lecturers who cannot fulfill the academic qualifications, competence, and educator certification as referred to in Article 2 within a period of 10 (ten) years since the enactment of Law Number 14 of 2005 concerning Teachers and Lecturers and who have been given the opportunity to fulfill them, shall be subject to sanctions by the Government, higher education institutions, or units of higher education institutions organized by the community, in the form of:
 - a. Reassignment to educational support work that does not require lecturer qualifications and competence;
 - b. Termination of functional allowances or subsidies for functional allowances, and special allowances; or
 - c. Dismissal from the position as a lecturer.
- (2) Lecturers and/or other foreign citizens who meet the academic qualifications and competence to carry out duties as lecturers and refuse mandatory work in special areas as stipulated in Article 33 paragraph (3) points a and b shall be subject to sanctions by the Government and/or local government according to their authority, in the form of:
 - a. Postponement of promotions for 2 (two) years for civil servant lecturers;
 - b. Revocation of functional allowances or subsidies for functional allowances for 2 (two) years for lecturers; and/or
 - c. Suspension of government services without violating human rights for 2 (two) years for foreign citizens other than lecturers.

Article 40

- (1) Prospective lecturers who are recipients of a service bond and fail to fulfill their duties according to the written statement and service bond

agreement as referred to in Article 35 paragraph (1) shall be subject to sanctions in accordance with the provisions of prevailing laws and regulations.

- (2) Lecturers who have fulfilled the service bond as referred to in Article 35 paragraph (1) but violate their written statement shall be subject to sanctions by the Government and/or local government according to their authority, in the form of:
 - a. Postponement of promotions or positions for 4 (four) years;
 - b. Suspension of professional allowances for 4 (four) years;
 - c. Suspension of functional allowances for 4 (four) years;
 - d. Suspension of additional benefits for 4 (four) years; or
 - e. Dismissal from their position as a lecturer.

Article 41

Higher education institutions that have been designated as providers of educator certification for lecturers but, based on the Government's evaluation, no longer meet the criteria as referred to in Article 5, shall have their authority to provide educator certification for lecturers revoked by the Minister.

Chapter VII

Transitional Provisions

Article 42

Within 5 (five) years since the enactment of this Government Regulation, lecturers who have not yet met the master's degree or equivalent academic qualifications may take a competency test to obtain an educator certificate if they have:

- a. Reached the age of 60 (sixty) and have 30 (thirty) years of work experience as a lecturer; or
- b. Held the academic position of lector head with grade IV/c or have accumulated credit points equivalent to lector head with grade IV/c.

Article 43

- (1) At the time this Government Regulation takes effect, permanent lecturers who hold the academic position of professor or *Guru Besar*

shall obtain an educator certificate without going through portfolio assessment as referred to in Article 4.

- (2) Within 5 (five) years since the enactment of this Government Regulation, permanent lecturers holding academic positions other than professor or *Guru Besar* and have not yet met the master's degree qualifications must fulfill the required academic qualifications.
- (3) Within 6 (six) years since the enactment of this Government Regulation, permanent lecturers holding academic positions other than professor or *Guru Besar* and have already met at least a master's degree qualification must undergo certification.

Article 44

- (1) Academic qualifications for new lecturers shall come into effect 1 (one) year after the enactment of this Government Regulation.
- (2) Within 10 (ten) years since the enactment of Law Number 14 of 2005 concerning Teachers and Lecturers (State Gazette of the Republic of Indonesia Year 2005 Number 157, Supplement to State Gazette of the Republic of Indonesia Number 4586), lecturers in academic positions who do not have an educator certificate shall receive functional allowances or subsidies for functional allowances and additional benefits.

Article 45

Upon the enactment of this Government Regulation, all laws and regulations governing lecturers shall remain in effect as long as they are not in conflict with or have not been replaced by new regulations based on this Government Regulation.

Chapter VIII

Final Provisions

Article 46

This Government Regulation shall come into effect on the date of its promulgation.

To be known by all, this Government Regulation is ordered to be promulgated in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
on May 26, 2009

PRESIDENT OF THE REPUBLIC OF INDONESIA,

signed,

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta
on May 26, 2009

MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA,

signed,

ANDI MATTALATTA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2009 NUMBER 76

Certified as true and correct,

SECRETARIAT OF THE REPUBLIC OF INDONESIA

Head of the Bureau of Legislation, Politics and People's Welfare,

Wisnu Setiawan

EXPLANATION
ON
GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NUMBER 37 OF 2009
CONCERNING
LECTURERS

I. GENERAL

The quality of human resources required by the Indonesian nation in the future is the ability to face increasing competition with other nations in the world. The production of such Indonesian human resources is achieved through the implementation of quality education by professional educators. Law Number 20 of 2003 concerning the National Education System states that educators are professionals. Therefore, lecturers, as professional educators, hold a highly strategic function, role, and position. Lecturers, as professional personnel, have a vision of achieving the organization of learning in accordance with the principles of professionalism to ensure equal rights for every citizen in obtaining quality education.

Law Number 14 of 2005 concerning Teachers and Lecturers emphasizes that lecturers must have academic qualifications, competence, teaching certificates, physical and spiritual health, and meet other qualifications required by the higher education institution where they serve, as well as the ability to achieve national educational goals. Lecturers are professional educators and scholars whose primary task is to transform, develop, and disseminate knowledge, technology, and art through education, research, and community service. In addition to being mandated by Law Number 14 of 2005 concerning Teachers and Lecturers, the qualifications for lecturers are also regulated in Government Regulation Number 19 of 2005 concerning National Education Standards.

The recognition of lecturers as professional educators represents a reform in the national education system, which implementation takes into account various regulations in the fields of education, employment, labor, finance, and local governance. The granting of teaching certificates to lecturers is carried out through certification, considering the assessment of their educational and research experiences, as well as other academic or professional activities acquired during their service. This is based on the consideration that for lecturers, who are professional educators and scholars, the acquisition and deepening of knowledge, technology, and/or arts can be achieved through direct experiences that are internalized and

reflected upon. Therefore, the acknowledgment of such experiences is an integral part of the process of forming the competence of lecturers as agents of learning.

Another regulation concerning lecturers is the certification for those who have not yet met the academic qualifications but hold structural positions, equivalency between teaching experiences and cumulative credit points, as well as age limitations for lecturers based on functional positions. These specific regulations are motivated by the intention to motivate and appreciate the dedication of lecturers in carrying out their professional duties as dignified educators and scholars.

In accordance with the mandate of Law Number 14 of 2005 concerning Teachers and Lecturers, and considering related regulations and future trends, it is necessary to establish a Government Regulation concerning Lecturers with the following scope of regulations:

- a. rights, work obligations, and bonds of service;
- b. appointment, placement, and transfers;
- c. sanctions; and
- d. transitional provisions.

The purpose of this Government Regulation is to:

- a. enhance the dignity of lecturers;
- b. guarantee the rights and obligations of lecturers;
- c. improve the competence of lecturers;
- d. advance the profession and career of lecturers;
- e. enhance the quality of learning, research, and community service;
- f. improve the quality of national education;
- g. reduce the disparity in the availability of lecturers among higher education institutions in terms of quantity, quality, academic qualifications, and competence;
- h. narrow the gap in educational quality among higher education institutions; and
- i. enhance the provision of quality higher education services.

II. ARTICLE BY ARTICLE

Article 1 Clear enough.

Article 2 Clear enough.

Article 3 Clear enough.

Article 4 Paragraph (1) Clear enough.

Paragraph (2) The implementation of portfolio assessment shall be carried out by a team appointed by each Higher Education Institution.

Paragraph (3) Clear enough.

Paragraph (4) Letter a

The three main duties of higher education institutions include:

1. Educational duty to master, apply, and disseminate noble values, knowledge, technology, arts, and sports.
2. Research duty to discover, develop, adopt, and/or adapt noble values, knowledge, technology, arts, and sports.
3. Community service duty to apply noble values, knowledge, technology, arts, and sports in empowering the community.

Letter b Clear enough.

Letter c Clear enough.

Paragraph (5) Clear enough.

Paragraph (6) Clear enough.

Paragraph (7) Clear enough.

Article 5 Paragraph (1)

The term "teacher recruitment program" refers to a program at higher education institutions that offer postgraduate programs. The designation of higher education institutions shall be done with the principle of balancing the number and distribution of institutions, whether operated by the Government or by private higher education providers or educational institutions established by the community. The designation of higher education institutions as providers of lecturer certification programs for lecturers under the supervision of the department handling religious affairs shall be done by the Minister, taking into account the considerations of the Minister of Religion.

Paragraph (2) Clear enough.

Paragraph (3) Clear enough.

Paragraph (4)

The designation of participants for educator certification programs for lecturers under the supervision of the department handling religious affairs shall be done by the Minister, taking into account the considerations of the Minister of Religion.

Paragraph (5) Clear enough.

Article 6

The term "objective" refers to non-discriminatory treatment and adherence to national education standards in the process of obtaining teaching certificates.

The term "transparent" refers to the treatment that provides opportunities for education stakeholders to access information about the implementation of professional education and educator competence tests.

The term "accountable" refers to the ability to be responsible to education stakeholders in administrative, financial, and academic aspects during the certification process.

Article 7 Clear enough.

Article 8 Paragraph (1)

Letter a Clear enough.

Letter b

The number of credit hours (SKS) given for a course or other learning processes acknowledges the successful effort in completing the related academic activities. In each semester, 1 (one) SKS is equivalent to 3 (three) credit hours of learning activities, which include face-to-face sessions, structured activities, and independent activities over an effective period of 16 (sixteen) weeks.

Item 1 Clear enough.

Item 2 Engagement in community service through other institutions shall be carried out with the consent of the leadership of the respective higher education unit and must align with the lecturer's expertise.

Letter c

The term "permanent staff at other institutions" refers to someone who works full-time in an external agency outside the respective higher education institution.

Letter d Clear enough.

Letter e Clear enough.

Paragraph (2) Clear enough.

Paragraph (3)

The leadership of the higher education institution includes the rector, vice rector, head of a college, vice head of a college, academic director/polytechnic director, vice academic director/polytechnic vice director, dean, vice dean, postgraduate director, head of technical implementation unit, head of department, and equivalent positions according to the type of higher education institution.

Paragraph (4) Clear enough.

Paragraph (5) Clear enough.

Article 9 Clear enough.

Article 10 Clear enough.

Article 11 Clear enough.

Article 12 Paragraph (1)

In ensuring additional benefits funding that becomes the responsibility of higher education institutions or community-based educational institutions, the Government may provide assistance or impose administrative sanctions on the respective higher education institutions or community-based educational institutions.

Paragraph (2)

The implementation of providing additional benefits to lecturers must consider the principles of fairness and equal distribution, in addition to recognizing the achievements of the lecturers.

Paragraph (3) Clear enough.

Paragraph (4) Clear enough.

Paragraph (5) Clear enough.

Paragraph (6) Clear enough.

Article 13

Letter a

The term "educational allowance" refers to subsidies provided to lecturers to enhance their competence and/or academic qualifications. The term "educational insurance" refers to subsidies provided to lecturers for additional educational insurance expenses taken for their children's education in accordance with the provisions of the regulations.

The term "scholarship" refers to all expenses provided to lecturers to enhance their competence and/or academic qualifications.

Letter b

The term "children of lecturers" refers to the biological children of the respective lecturer. To demonstrate that a prospective student is a biological child of a lecturer, they must provide the following documents during registration:

1. A certificate from the head of the educational institution where the lecturer works.
2. The child's birth certificate.
3. The family card (kartu keluarga).

Health services include coverage for examination, treatment, and care costs beyond health insurance.

Other forms of welfare may include down payment for housing credit, learning resources facilities, and access.

Article 14 Clear enough.

Article 15 Clear enough.

Article 16 Clear enough.

Article 17 Clear enough.

Article 18 Paragraph (1)

The term "structural position" refers to a position that indicates the duties, responsibilities, authorities, and rights of a civil servant in leading a state organization unit, both within and outside the respective higher education institution, in accordance with the provisions of the regulations.

Paragraph (2) Clear enough.

Paragraph (3) Clear enough.

Paragraph (4) Clear enough.

Paragraph (5) Clear enough.

Article 19 Clear enough.

Article 20 Clear enough.

Article 21 Clear enough.

Article 22 Clear enough.

Article 23 Clear enough.

Article 24 Clear enough.

Article 25 Clear enough.

Article 26 Paragraph (1) Competence enhancement is carried out to adapt to changes in the substance of knowledge, technology, and/or arts.

Paragraph (2)

The term "similar activities" refers to other activities with similar objectives, aiming to enhance the ability to design, manage, and evaluate learning, as well as utilize research findings to improve the quality of learning; the ability to design, implement, and compile research reports; the ability to develop and disseminate innovations in the field of science, technology, and arts; and the ability to design, implement, and assess community service.

Paragraph (3) Clear enough.

Paragraph (4)

The term "educational resources" refers to things utilized in conducting research and community service, including personnel, funding, as well as facilities and infrastructure.

Article 27 Clear enough.

Article 28 Clear enough.

Article 29 Clear enough.

Article 30 Clear enough.

Article 31 Clear enough.

Article 32 Paragraph (1)

The term "study" refers to activities involving non-degree education and/or training with the purpose of refreshing, updating, or developing knowledge, technology, arts, culture, and/or sports.

Paragraph (2) Clear enough.

Paragraph (3) Clear enough.

Paragraph (4) Clear enough.

Paragraph (5) Clear enough.

Paragraph (6) Clear enough.

Article 33 Paragraph (1)

Citizens who can be assigned as lecturers must meet the minimum academic qualifications of a master's degree and possess relevant competence.

Paragraph (2) Clear enough.

Paragraph (3) Clear enough.

Paragraph (4) Clear enough.

Paragraph (5) Clear enough.

Paragraph (6) Clear enough.

Article 34 Paragraph (1)

The term "employment bond" refers to an agreement between prospective lecturers receiving educational assistance and the higher education institution or community-based educational institution providing the study assignment.

Paragraph (2) Clear enough.

Paragraph (3) Clear enough.

Paragraph (4) Clear enough.

Paragraph (5) Clear enough.

Paragraph (6) Clear enough.

Paragraph (7) Clear enough.

Paragraph (8) Clear enough.

Paragraph (9) Clear enough.

Article 35 Clear enough.

Article 36 Clear enough.

Article 37 Clear enough.

Article 38 Clear enough.

Article 39 Clear enough.

Article 40 Clear enough.

Article 41 Clear enough.

Article 42 Clear enough.

Article 43 Clear enough.

Article 44 Clear enough.

Article 45 Clear enough.

Article 46 Clear enough.

SUPPLEMENT TO THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 5007