Smart and Green Campus Regulatory Design as Untirta's Legal Policy to Improve The Quality of Participatory Higher Education

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Abstract

The formation of a policy regulation does not have general guidelines because it is the authority of each institution which is not binding on other institutions and is weak in giving sanctions, while the formation of a statutory regulation must be guided by Law Number 12 of 2011 concerning the Establishment Laws and regulations that have been amended by Law Number 15 of 2019 by providing space for the public to participate. This research uses qualitative research methods with a normative juridical approach. Sultan Ageng Tirtayasa University is one of the State campuses in Banten, which needs to design smart and green campus regulations to improve the quality of participatory higher education. This policy is a legal policy to shape the quality of higher education as smart and green campuses.

I. Introduction

The 1945 Constitution of the Republic of Indonesia states that Indonesia is a state of law so the implementation of life in Indonesia must be regulated in a regulation. Likewise, in the implementation of education from the basic level to higher education, everything has regulations in its implementation. The Constitution states that Indonesia is a state of law so the implementation of life in Indonesia must be regulated in a regulation. Likewise, in the implementation of education from the basic level to higher education, everything has regulations in its implementation. Regulations consist of statutory regulations and policy regulations. Some laws and regulations are regulating (regeling) and some are stipulating (beschiking). Regulations that are regulating are usually called regulations while regulations that are stipulating are usually called

decisions or stipulations. While the formof policy regulations is a handbill.[1]

The formation of a policy regulation does not have general guidelines because it is the authority of each institution which is not binding on other institutions and is weak in giving sanctions, while the formation of a statutory regulation must be guided by Law Number 12 of 2011 concerning the Establishment Laws that have been amended by Law Number 15 of 2019 by providing space for the public to participate. Sultan Ageng Tirtayasa University (Untirta) is a state university which is funded by the State so all of its activities must be guided by higher regulations. If the regulations made are contrary to higher regulations, the regulations can mutatis mutandis be revoked and declared invalid because they do not have the power and binding power which will have an impact on the program of activities that have been implemented and can cause legal problems as a form of abuse of authority or power intentionally or unintentionally causing state losses or the term corruption.

Untirta must prepare a strategic plan based on the vision of the Chancellor of Untirta 2019-2023, namely the realization of Untirta as an Integrated Smart and Green (It'S Green) University that is Excellent, Characteristic, and Competitive in the ASEAN Region by 2030.To reach the vision, it is supported by 3 (three) missions are:

1. Improving the quality, relevance and competitiveness of education as well as graduates who are superior, characterized, and competitive in the ASEAN region;
2. Improving the quality and quantity of innovative research and community servicebased on real needs according to the times; and
3. Increasing the carrying capacity of good higher education governance as an implementation of the Integrated Smart and Green (It'S Green) University.[2]

Based on the missions, all of them have different goals. The second goals of the third mission is to produce the supporting capacity of integrated, smart and green campus facilities and infrastructure in the form of determining the superstructure and regulation of smart & green campuses for good university governance.

The third mission is to increase the carrying capacity of good university governance through the implementation of Integrated Smart and Green (It'S Green) University. It aims to establish smart & green campus regulations as the implementation of Good Corporate Governance in Untirta to improve the quality of Untirta in terms of transparency, accountability, responsibility, independence and justice. So that the establishment of smart and green campus regulations must be guided by higher

[1] Arius Kambu, Perencanaan Partisipatif Dengan Pendekatan Fenomenologi Di Distrik Kombut Kabupaten Boven Digoel, Journal of Kajian Ekonomi Dan Keuangan Daerah Vol. 2 No. 2, 2017.

[2] Jeremy Bentham, The Theory of Legislation, Terj. Nurhadi, 2006, Teori Perundang-Undangan Prinsip-Prinsip Legislasi, Hukum Perdata dan Hukum Pidana, Cet-I, Nusamedia & Nuansa, Bandung

legislation by providing space forthe participation of the Untirta academic community from elements of leadership, lecturers, staff and students. Based on this description, the objectives of this research are to (1) find out and analyze thetypes of regulations and participation models that support the implementation of smart and green campuses for good university governance in Untirta; (2) know and analyze how theform of the smart and green campus regulation draft for good university governance in Untirta.

II. METHODOLOGY

The research method used in this research is qualitative. The researcher used a normativejuridical approach as the major data and an empirical juridical approach which uses interviewsas supporting data. The data obtained from this study uses both primary and secondary literature as well as other supporting documents sourced from other literature such as websites,books, and interviews). Then, it is analysed and described to find out what is the problem in this research.

III. Results and Discussion

Types of Regulations and Participation Models that Support the Implementation of Smart andGreen Campus for Good University Governance at Untirta

The types of regulations to support the implementation of the Smart and Green Campus forGood University Governance in Untirta can be in the form of Chancellor's Regulations andDecrees. Some of the differences between the Chancellor's Regulation and the Chancellor decrees are that the Chancellor's Regulation is regulating or regeling while the Chancellor'sDecree is stipulating or beschiking. The Chancellor's Regulation has a validity that is not limited by time as long as it has not been revoked so it applies continuously while the Chancellor's Decree has a validity that is limited by time because there is an expiration period.

In addition, the binding power of the Chancellor's Regulation is for the entire Untirta academic community without exception, while the Chancellor's Decree is individual and limited only to parties whose names are listed in the Chancellor's Decree. So based on this,the right type of regulation to support the implementation of the Smart and Green Campus for Good University Governance in Untirta is in the form of a Chancellor's Regulation, not a Chancellor's Decree. To carry out the Untirta Strategic Plan as outlined in the Untirta Chancellor Regulation with its preparation involving the academic community, is it necessary to establish a guideline on Smart and Green

Campus Design.[3]

So for the arrangement of regulations related to the 2019-2023 Untirta Strategic Plan, it is necessary to establish a Guideline on Smart and Green Campus Design to realize Untirta's vision and mission. The following are the reasons for the need or not to establish guidelines regarding Smart and Green Campus Design as described in the table:

Table 1

The Urgency of Guidelines on Smart and Green CampusDesign at Sultan Ageng Tirtayasa University

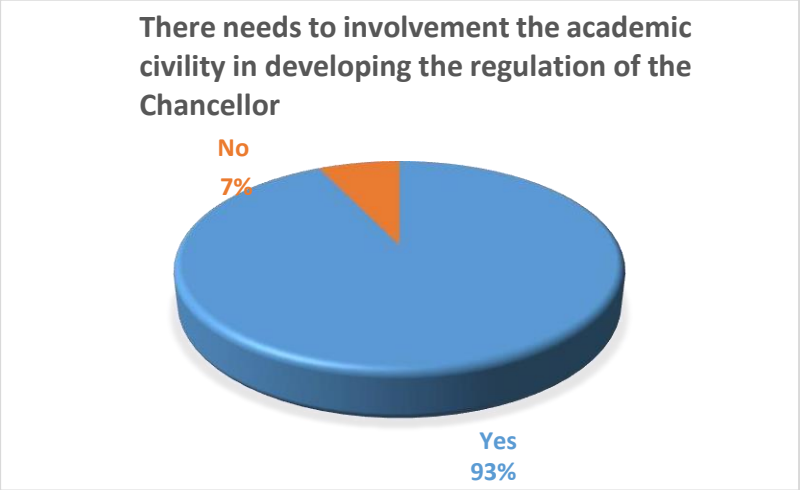
No	Is a guideline about the Smart and Green Campus design needed at Sultan Ageng Tirtayasa University?	
	Yes	No
1.	It is necessary to prevent multiple interpretations.	The guidelines have been embodied in the2020 Untirta strategic plan and draft statutes.
2.	It is necessary to facilitate implementation with the relevant work units.	As far as I know, for the green campus program, there is a UIgreen matic with 6 criteria that can be used as a guide.
3.	It really needs to be made to make socialization with the availability of existing resources.	
4.	It is necessary to be used as a reference for every trust holder so that in the implementation it refers to the standards set.	
5.	All academics can understand and participate in realizing the ideals of a smart and green campus.	

[3] Peter Mahmud Marzuki, Penelitian Hukum (edisi revisi), Prenadamedia Group, Jakarta, 2001

6.	Regulations need to be used as reference standards so that all can implement them, especially if rewards and sanctions are applied in their implementation.	
7.	It is necessary because the guidelines are a series of rules that serve as benchmarks in carrying out the vision of a smart and green campus, for the entire academic community of Untirta.	
8.	These guidelines need to be used as operational materials to achieve Untirta's vision of an integrated smart and green campus.	
9.	As a tool to improve the performance of the organization.	
10.	As a basic reference to determine the strategy carried out by the institution to manage current conditions and able to do project conditions in the future.	
11.	The existence of a guideline can make management more structured.	
12.	It can be a parameter used to assess the quality and service.	
13.	It is necessary as a desire to behave so that ethical policies can run in balance.	

14.	To create performance measures and find concrete ways to improve performance and help evaluate efforts that have been made.	
15.	As a guideline for evaluation.	
16.	It is necessary, to be a direction in carrying out tasks sustainably and systematically.	
17.	It is necessary as operational and technical guidelines.	
18.	Guidelines are needed in establishing and developing the Smart and Green Campus Untirta. So that every element inside and outside the campus can understand the direction and stages of the next Untirta development..	
19.	A RIP and Road map must be made to serve as guidelines for achieving a smart and green campus.	

The involvement of the Untirta academic community in preparing the Chancellor's regulations as answers from random respondents as many as 261 people stated that they needed to be involved and 20 people said they did not need to be involved. The followingis a graph illustrating the percentages:



Only about 7% answered that there was no need to involve the academic community in the formation of the Untirta Chancellor's Regulation while 93% thought there was a needfor the involvement of the academic community in the preparation of the Untirta Chancellor's Regulation. The involvement in the preparation of the Chancellor's Regulation from the planning stage to the ratification must have the participation of the campus community, in this case, the Untirta academic community.

Participation in the preparation of the Chancellor's Regulation refers to Article 96 of Law No. 12 of 2011 concerning the Establishment of Legislation which reads:

(1) The public has the right to provide input orally and/or in writing in the Formationof Legislation.

(2) Oral and/or written input as referred to in paragraph (1) may be made through:

a. public hearings;

b. work visit;

c. socialization; and/or

d. seminars, workshops, and/or discussions.

(3) The community as referred to in paragraph (1) is an individual or group of peoplewho have an interest in the substance of the Draft Legislation.

(4) To facilitate the public in providing input orally and/or in writing as referred toin paragraph (1), each Draft of Legislation must be easily accessible by the public.

Legislation is a written regulation that contains legally binding norms in general. It is established or determined by state institutions or authorized officials through the

procedures stipulated in Legislation 31 and Article 8 of Law No. 12 of 2011 reads:

(1) Types of Legislation other than those referred to in Article 7 paragraph (1) include regulations stipulated by the People's Consultative Assembly, the People's Representative Council, the Regional Representatives Council, the Supreme Court, the Constitutional Court, the Supreme Audit Agency, the Judicial Commission, Bank Indonesia, the Minister, agency, institution, or commission of the same level established by law or by the Government on the orders of the Act, the Provincial People's Representative Council, the Governor, the Regency/City Regional People's Representative Council, the Regent/Mayor, the Village Head orthe equivalent.

(2) The statutory regulations as referred to in paragraph (1) are recognized for theirexistence and have binding legal force as long as they are ordered by a higher statutory regulation or are formed based on authority.

Based on the sound of Article 1 and Article 8 of Law No. 12 of 2011, the Chancellor's Regulation is Legislation which in the planning and preparation process must follow the provisions of Law No. 12 of 2011 concerning the Establishment of Legislation. The form of involvement of the academic community in the preparation of the Chancellor's Regulation is as follows:

a. Socialization; and/or
b. Seminars, workshops, and/or discussions.

Socialization, seminars, workshops and/or discussions in the preparation of the Chancellor's Draft Regulation can all be done online or face-to-face. Then after the draft was ratified into regulations, it was re-socialized to the entire Untirta academic community. The recapitulation of the answers of 92 respondents on how to make the academic community of Sultan Ageng Tirtayasa University aware of the Chancellor's Regulations that had been formed were as follows:

1. The Chancellor periodically conducts socialization at important university eventsother than uploading them on the university website.
2. Chancellor's regulations must be disseminated to all Untirta academics.
3. Socialization via the web or online meetings is adjusted to the current pandemicconditions.
4. Socialization, implementation, supervision, sanctions and rewards rather than thepractice of a regulation that has been established.
5. Publication continuously and inserted in every activity or document or

publication seriously.

6. Socialization, by reviewing or supervising the implementation of regulations thathave been established.
7. Socialization through the web, online media, circulars, and See Article 1 point 2 of Law No. 12 of 2011 concerning the Establishment of Legislation.
8. Visiting faculties and departments and the need for self-awareness to carry out the Chancellor's regulations
9. At the leadership level must understand, all faculties must know, and all staff mustknow, through online social media, websites (SIMA, SIMAKAD), Faculty WhatApp groups, student associations, student organizations, etc.
10. Socialized with various media such as banners, posters in every classroom, on university profiles, faculties, study programs and websites, and banners.
11. Informing through the Untirta's website or public relations channels owned suchas Untirta tv or Untirta radio
12. There needs to be a (special) law firm in the Chancellorate for the formation of legal products from planning, drafting, discussing and socialization.

Forms of Smart and Green Campus Regulation Draft for Good University Governance at Untirta

In Indonesia, several universities have attempted to implement the concept of environmentally-oriented and technology-based development by initiating smart campus and green campus programs. Smart campus is one of the areas of implementation of a smart city in a university environment. Isham Shahrour from Polytech'Lille France stated that the smart campus emerged as a response to the relationship between a city and an educational institution in the form of a university. Johannes Schoning from Hasselt University Belgium complements the opinion of Isham Shahrour with the addition that auniversity will form its community. So hopefully, a good university will produce a good society as well. Likewise, the implementation of a smart campus is expected to create a smart city. Smart citizen is one of the capitals for realizing a smart city, so it can be said that a smart campus is an incubator space for realizing a smart city in a city or region.

Smart campus refers to campus facilities that support all activities of the academic community in carrying out the obligations of the Tri Dharma of Higher Education that use information technology as the backbone of support. The implementation of smart campus technology in miniature has finally emerged, such as smart classrooms, smart laboratories, smart buildings, smart department and smart faculty. The main factor of Smart Campus isto provide high-quality services, protect the environment and save costs.36 The EBTIC innovation centre develops holistically and interactively about iCampus. Where iCampus consists of 6 pillars that are used as guidelines in developing learning activities in universities. The six pillars are iLearning,

iGovernance, iGreen, iHealth, iSocial and iManagement. So ideally smart campus should cover all these pillars.

It is emphasized by Article 26 and Article 27 of Law Number 24 of 2009 which reads: Article 26 Indonesian language must be used in laws and regulations. Article 27 Indonesian language must be used in official state documents. What is meant by "official state documents" are among others decision letters, securities, diplomas, certificates, identity cards, deed of sale and purchase, agreement letters, and court decisions. Based on the article, the guidelines for the preparation of the Smart and Green Campus at Untirta may not use foreign languages and must be interpreted in Indonesian. Likewise, in the preparation of the Chancellor's Decree. So that what will be compiled will be entitled the Untirta Chancellor's Draft Regulation on Guidelines for Smart Campuses and Integrated Green Campuses.

Several things that can be regulated in the Chancellor's Draft Regulation based on the answers of 92 respondents regarding how to implement Smart and Green Campus at Sultan Ageng Tirtayasaa University are as follows:

1. Creating an integrated network system, creating a bus shelter bicycle path, maintaining and processing waste;
2. Socialization of the implementation of smart and green campus Untirta;
3. Learning in Untirta based on data digitization and environmentally friendly;
4. Improving the quality, relevance and competitiveness of superior, useful and competitive education and graduates;
5. Improving the quality and quantity of research and community service;
6. Improving integrated higher education governance;
7. Saving fossil energy, replaced with environmentally friendly energy, zero plastic,not relying on fossil energy, with the support of a beautiful environment;
8. Performing a breakdown of the program by separating the parts into smart andgreen which are handled specifically by each team but still synergize;
9. Prohibition of smoking in the campus environment for a cleaner environment;
10. Reducing paper use in correspondence;
11. Doing things or actions that lead to Untirta's vision, such as environmentallyfriendly land management and resource utilization in Untirta;
12. There must be consolidation between academics;
13. Integrating environmental science into university policies, management, and Tri Dharma;
14. Designing and constructing new buildings, repairing old buildings, room management, greening the campus environment, utilizing environmentally friendly energy sources, academic regulations, curriculum, water management, data management and so on;

15. Promoting environmental awareness and sustainable development in learning, research, and campus management also increasing the involvement and participation of the campus community in activities both on and off campus;
16. Conduct training and workforce development related to environmentally friendly practices and make improvements related to employee performance so that campus services are of higher quality and sustainable;
17. Implementing Tri Dharma with ASEAN level;
18. Supervision in implementing the concept of Smart and Green Campus;
19. Changes in behaviour, habits, and procedures that require the same understanding and perception, the same preferences and the same actions throughout the academic community, so that a smart and green campus can be realized;
20. Conducting waste and waste management (reducing chemicals and managing water disposal, energy management, transportation management and research related to environmental issues);
21. Emphasize efforts to use energy efficiently, reduce greenhouse gas emissions, low carbon circulation and travel, recycling of resources;
22. Campaigning for activities by walking, cycling, then developing the latest energy technology and restoring the campus environment and landscape;
23. Facilitating the economic process of production and distribution in increasing added value to achieve the welfare of the campus community and a better quality of the environment;
24. It is necessary to have a written commitment from the university leadership. Campus lifestyle, adequate facilities and infrastructure as well as behaviour that supports the Green Campus movement;
25. Energy conservation, efforts to find renewable energy sources, green buildings that are accessible to the sun;
26. The transformation of this green campus would be better if it was based on local wisdom, for example planting Bantenese plants as well as socializing the physical environment of Banten;
27. It is necessary to have green open space;
28. Adding courses related to E-Government, conducting research related to smart and green campuses, making rules of behaviour for individuals on "green" campuses;
29. Smart and green campus needs to be realized in the Untirta Master Plan, both hard and soft programs. The realization can be done bottom-up or top-down;
30. Implementing paperless for thesis, PAK filing, availability of references, availability of solar cells as a source of electricity, light sensors, water faucet sensors to limit excessive/leakage water usage, AC sensors, projector/LCD

sensors, availability ofunlimited internet access;
31. The budget must be following the Chancellor's vision and mission;
32. Cooperating with various other campuses such as IPB (Bogor Agricultural University);
33. Guidelines must be made as the technical basis for implementation.

The Chancellor's Draft Regulation with the title Untirta Chancellor's Draft Regulation on Guidelines for Smart Campuses and Integrated Green Campuses will contain material related to the Third Mission of the Second Goal of the 2019-2023 Untirta Strategic Plan. Sothat it contains systematics, including:

1. General Provisions;
2. Implementation of the Smart Campus;
3. Implementation of the Green Campus;
4. Smart Campus Master Pattern and Integrated Green Campus;
5. Integrated Smart Campus and Green Campus Facilities and Infrastructure;
6. Management of Information Resource Assets;
7. Establishment of the Institute for the Study of Smart Campus Development andGreen Campus;
8. Quality ICT Human Resources;
9. Integrated Data Security Management;
10. Guidance and Supervision;
11. Financing;
12. Awards;
13. Sanctions Provisions;
14. Transitional Provisions; and
15. Closing Provisions.[4]

The ultimate goal of achieving Untirta's 2019-2023 vision and mission is that a smart and green campus can make Sultan Ageng Tirtayasa University a public university known in Asia. This expectation will be realized or not based on the answers from 92 respondents in the following table:

[4] Zainuddin Ali, Metode Penelitian Hukum, Jakarta: Sinar Grafika, 2011.

Table 3

Smart And Green Campus Can Turn Sultan Ageng Tirtayasa University As A State University Known In Asia

No	Can Smart And Green Campus Make Sultan Ageng Tirtayasa University a State University Known in Asia?		
	Yes	No	Half-and-half
1.	As long as it is consistent andsupported by the commitment of the entire academics	Smart and green campus isa stale issue. While now producing technology products in each of them	Maybe yes, but you have to equate the perception between fields to be integrated
2.	It is definitely possible if the value of the *JAWARA* slogan "honest, fair, dignified, trustworthy, religiouslyaccountable" is carried out in a trustworthy manner	Many state universities that have implemented smart and green campuses are not yet well known	
3.	Provisions for having a goodinformation system	In Untirta, the concept of smart and green campus isa little late. So it is necessary to strengthen thesmart and green concept, what is the campus like?	
4.	Because not many universities have realized this program, which allows Untirta to have its value.		
5.	Especially if the Untirta campus has characteristics that can become the basis for world research, for example, raising the issue of Food Security but every		

	publication and research should be directed at the same theme.		
6.	Good collaboration between faculties added with collaboration involving the government, private sector, and fellow academics, it will perfect the smart and green campus program and make Untirta a model campus at the Asian level.		
7.	If the implementation of this concept can be realized, UNTIRTA can become a known university in ASIA. Green Campus programs include Water, Energy, Garbage and Waste, Layout and infrastructure, education and human resources.		
8.	This vision can bring Untirta to Asia with a Green Campus which has different characteristics from other universities by bringing Banten local wisdom so that later Untirta will not only be known as a university in Indonesia but will also carry the name Banten.		

9.	If Untirta can be enrolled in the UI Greenmatric program. As a campus that has commitments and activities toward reforestation and environmental sustainability, UNTIRTA has the opportunity to be known throughout the world, especially in Asia. Because the program is an annual publication event for university rankings in the world organized by UI Greenmatric		
10.	Supported by hard programs and soft programs;		
11.	Capable and realistic with a minimum of 3 strategies above 1-3		
12.	With the smart and green campus concept, Untirta takes a role in the concept of sustainable development which has an impact on the application of environmentally friendly activities. Thus, UNTIRTA becomes the driving force for sustainable development in Asia.		

13.	The current period can only provide the basis for the Smart and Green Campus Untirta. This basis will be used as a reference and foothold in the future development of the campus. At the Asian level, there are still a lot of things that Untirta has to improve and improve. It is hoped that the progress of Untirta from time to time will be able to prepare Untirta on a par with other campuses in Asia in the next 5-15 years.		

IV. Conclusion

Based on the analysis above, there are three conclusions as follows:

1. Understanding elements of postgraduate leaders and faculty leaders at Untirta regarding the 2019-2023 Strategic Plan, only 35% of leadership elements answered Untirta's vision correctly, 53% wrote incomplete visions, 4% incorrectly still mentioned the old vision and 8% forgot or did not answer. All leaders should know the current vision of Untirta, namely The realization of Untirta as an Integrated Smart and Green (It'S Green) University that is Superior, Characterful, and Competitive, in the ASEAN Region in 2030. Untirta's vision and mission should animate the activities of the Tri Dharma of Higher Education in Untirta. And only 74% know that the Untirta Strategic Plan is currently being used. Meanwhile, 22% of the leaders in the Untirta environment do not know the Strategic Plan prepared by the Chancellor. It should be 100% of the leadership elements in Untirta know the Strategic Plan so that the Chancellor's vision and mission can be realized.
2. The types of regulations to support the implementation of the Smart And Green Campus for Good University Governance in Untirta can be in the form of Chancellor's Regulations and Chancellor's Decrees. However, a guideline must be established in advance in the Chancellor's Regulation and technically by the Chancellor's Decree. The guidelines that are formed

must involve the participation of the academicians with a participation model that supports the implementation of a smart and green campus for good university governance in Untirta, which is to provide a space for involvement in expressing opinions orally and in writing and always socialize to the academic community in terms of forming the Chancellor's Draft Regulation through socialization, seminars, workshops and/or discussions conducted online or face-to-face.

3. The form of the smart and green campus regulation draft for good university governance in Untirta is based on Article 26 of Law Number 24 of 2009 concerning the State Flag, Language, and Emblem, as well as the National Anthem which reads the Indonesian language, must be used in the legislation. And Article 27 reads Indonesian language must be used in official state documents.

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