

Development of Education in Thailand

Introduction

As a member of UNESCO, Thailand has attempted to develop its provision of education for all according to the Jomtien Declaration. The concept of Education for All has been well recognized and translated into action. As a consequence, our National Education Scheme of 1992 was designed to assure continuous and life-long learning for individuals so as to promote their wisdom, spiritual, physical and social development, and their contribution towards the progress of the nation under a constitutional monarchy. However, there were some major problems calling for urgent reform. Main causes of the problem could be identified as : -

- overcentralization;
- lack of unity in educational administration;
- lack of efficiency in quality assurance and desirable standards;
- lack of public participation;

- lack of systematic and continuous policy development; and
- lack of coordination among the ministries with major responsibilities for education (Ministry of Education, Ministry of University Affairs, and the Office of the National Education Commission).

Current Educational System

According to the 1999 National Education Act, all educational agencies, namely the Ministry of Education, Ministry of University Affairs, and the Office of the National Education Commission will be merged into the Ministry of Education, Religion and Culture by August 20, 2002. Public educational administration and management will be decentralized to local organizations and educational institutions. During this transitional period, the current system of educational administration and

management of education in Thailand is summarized as follows:¹

1. Administrative Structure

Responsibility for the present educational administration and management in Thailand is under the mandate of four main ministries; namely, Office of the Prime Minister, Ministry of Education, Ministry of University Affairs, and Ministry of Interior. At the national level, the Office of the National Economic and Social Development Board, Office of the National Education Commission, and Budget Bureau will serve as planning bodies for educational provision. After the planning process, the ministries; namely Ministry of Education, Ministry of University Affairs, and Ministry of Interior draw their policies in compliance with the national education policy. Certain other ministries, such as the Ministry of Defence and the Ministry of Public Health, also take charge of educational management in specialized fields or for specific purposes.

¹ Education in Thailand 2000-2001, Office of

At the regional level, educational administration and management has been divided into 12 educational regions. In each region, there is a Bureau of Regional Education, Religion and Culture Development under the Office of the Permanent Secretary of the Ministry to oversee academic matters. At the provincial level, educational administration can be classified into two types:

- Delegation of authority from the Ministry of Education to the Provincial Education Superintendent Offices and the District Education Offices.
- Educational agencies in the provinces which report directly to the central departments.

2. Educational System and Learning Process

Thailand's educational system is divided into four levels, namely pre-school, primary, secondary and tertiary levels. The provision of pre-school, primary and secondary education, including vocational and technical

education is under the responsibility of the Ministry of Education, while the provision of tertiary education is under the supervision of both the Ministry of Education and the Ministry of University Affairs. According to the 1999 National Education Act, the State shall provide twelve years of basic education to each individual on a free-of-charge basis. Compulsory education will be nine years which includes six years of primary education and three years of lower secondary education.

Pre-school Education

Pre-school education aims to encourage harmonious social, physical, emotional and intellectual development in young children between the ages of three and six to prepare them for their formal schooling. State schools provide two types of pre-school education: two-year kindergarten and one-year pre-school classes in rural primary school, while private schools provide three-year kindergarten.

Primary Education

All children between the ages of seven and fifteen must complete six years of primary education. Primary

education aims to develop basic skills in reading, writing and arithmetic in young children as well as to assist them in developing an understanding of the world around them, enabling them to live harmoniously and participate as active members in society. The Office of the National Primary Education Commission, Ministry of Education is the major government agency responsible for the provision of primary education in Thailand with over 30,870 state primary schools under its jurisdiction.

Secondary Education

Secondary education is divided into two three-year phases and is designed to provide students with knowledge and working skills suitable for their ages, needs, interests and aptitudes. The curriculum of this level can be either terminal or leading to further studies. Flexibility is allowed so as to provide vocational training relevant to local conditions and requirements. Students who have completed the lower level of secondary education and wish to continue their studies may do so at the upper secondary level or at vocational schools or other specialized institutions. The present curriculum allows

the transfer of credits for both compulsory subjects and electives between the academic and vocational streams. The secondary curriculum was revised in 1990, opening up more periods for optional studies, including foreign languages and vocational subjects. A number of projects have been and are being launched to serve the new directions, including projects on secondary schools for the promotion of quality of life and society, on the development of school environment, on the promotion of entrepreneurial competencies and activities, on the establishment of school-based sports centers, and on the setting up of special science schools.

Vocational Education

Since there is a necessity to adapt the educational system to the development and labor needs of the country, vocational education and training has been given much promotion. Various types of specialized courses and training programs are offered and administered by the Department of Vocational Education and the Rajamangala Institutes of Technology. There are two programs to suit the student's academic background, ranging from three-

year Lower Certificate Courses (skilled level) which entail additional two years and are equal to a diploma level of vocational studies. Besides, one can further pursue a degree course at the Rajamangala Institutes of Technology or certain vocational institutes attached to the Ministry of University Affairs.

Teacher Education

Teacher education has undergone various changes since 1892 when the first teacher training school for elementary school teachers was founded. In the 1960s, a large number of teachers training institutions were formed. The year 1992 marked the centenary of teacher education in Thailand. Wider roles in the formation of future professionals to serve the nation were well taken. On this occasion, His Majesty King Bhumibol Adulyadej graciously conferred the name **Rajabhat Institutes** on teachers' colleges. At present, there are 41 Rajabhat Institutes all over the country.

University Education

University education is available to students who have completed the upper secondary level of education.

To cope with thousands of upper secondary school leavers wishing to continue their studies at university level, admission to university is done by a competitive national university entrance examination. Universities are under the responsibility of the Ministry of University Affairs, which is also responsible for private higher educational institutions. There are presently 24 state universities in Thailand, 12 of which are in Bangkok while the remainder are located in the provinces. In addition there are 51 private colleges and universities offer undergraduate courses in such fields as agriculture, arts, architecture, business administration, archaeology, education, the humanities, law, social sciences, and political science. Programs of studies at Master's degree level are offered at about 46 universities and several doctoral degree programs are being conducted at approximately 20 universities.

Non-formal Education

Non-formal education is founded in 76 provincial centers throughout the country and plays an integral part

in the national educational system. In 2000, there were 2,641,786 registered in non-formal education programs.

The launch of THAICOM on December 18, 1993, heralded a new era for educational development in Thailand. The Department of Non-formal Education, in cooperation with the THAICOM foundation of Shinawatra Satellite Public Co. Ltd., began a project to use television for distance education through satellite broadcast. The THAICOM Foundation has donated one KU-band for distance education and information broadcasting for up to 24 hours per day. The Ministry of Education plans to provide satellite dishes and receivers to rural schools, provincial non-formal education centers, educational service centers for district schools, public libraries, temples and other places providing easy access to the public. Among the services planned are open distance education programs, along the line similar to open university programs but on a more basic level; informal education programs and programs designed to enhance formal education.

To promote education on science and technology, the Department of Non-formal Education of the Ministry of Education established an educational museum in 1979. It is later known as *the National Science Center for Education (NSCE)*. The center aims to enhance the school curriculum in the teaching and learning of science and technology as well as to popularize science and technology. Moreover, the National Science Museum (NSM) which is a state enterprise under the Ministry of Science, Technology, and Environment has set up a *science museum*. It was opened officially by His Royal Highness Crown Prince Maha Vajiralongkorn on June 8, 2000.

Special and Welfare Education

Special education refers to the provision of education for all types of disabled children while welfare education caters for the culturally and socially handicapped. To ensure that such children receive an equal opportunity in education, special schools and welfare schools have been established under the Department of General Education, Ministry of Education.

Currently, there are 16 schools for deaf children, three schools for the blind, five schools for multiple-handicapped children and six for the mentally retarded. In addition, mainstreaming programs have been introduced in 4,221 primary schools for deaf children, slow learners and the partially sighted. Programs have also been arranged in hospitals to bring education to hospitalized children. There are also 5 welfare centers for the deaf, the blind and the mentally retarded. Not only do these centers look after the welfare of handicapped children, but they also provide them with special education facilities. For the socially and culturally handicapped children such as hill-tribe children, slum children and children of lepers, 26 schools have been established throughout the country.

Urgent Needs in Education Reform

Thailand has undergone an education reform since 1995. After the 1997 economic crisis, the reform process has been stepped up as compelled by both internal and external factors. Education reform is imperative for sustainable development of the country because in a

knowledge-based economy, competitiveness is attained through knowledge and ability of the people to innovate with the appropriate use of ICT in an optimum business environment.

During the past five years, the problems in human resources development can be identified as follows :

1. Student achievements identify that quality of education is needed to be upgraded in order to equip our people with necessary skills to cope with the challenges of globalization.
2. There is no long term plan on human resources development, particularly in science and technology.
3. Investment in education, in research and development is relatively low.
4. There is an urgent need to extend the number of years spent in school in order to upgrade the skills of our workforce. (average years spent in school in 1998 was 7).

5. The administration and management of education is not efficient enough to provide equal opportunity to all Thai citizens.

The current Constitution of 1997 stipulates that compulsory education be extended from six to nine years. The main government agencies together with relevant NGOs therefore worked in concerted efforts to prepare essential legal provision on education for consideration of the 1997 Constitution Drafting Committee. As a result, the Constitution has unprecedentedly extensive provision on education. These are for example:

Section 43 : Equal access for all to quality twelve-year basic education on a free-of-charge basis.

Section 78 : Decentralization of authority to local communities for self-reliance and self-determination of local affairs.

Section 81 : Provision of education by the State itself, as well as by the private sector for the attainment of knowledge and morality.

- Enactment of a national education law.

- Improvement of education in accordance with socio-economic changes.

Section 289: Rights of local administrative authorities to

- Provide education and professional training.
- Preserve and enhance local arts, customs and traditions and local wisdom.

Since 1997, concerned agencies drafted the National Education Act in accordance with the requirement of section 81 of the Constitution. The Act was drawn up on several significant bases, namely, academic information, scrutiny by scholars, participation of all stakeholders, public relations, and public polls. On August 14, 1999, His Majesty King Bhumibol Adulyadej graciously granted his royal assent for the promulgation of the National Education Act, which was subsequently published on August 19, 1999 in the Government Gazette.

Key Issues of the Education Reform

The current Constitution of 1997 stipulates that compulsory education be extended from six to nine years.

Consequently, the 1999 National Education Act was promulgated to serve as a fundamental law for the administration and provision of the current education reform. Key issues on education reform in Thailand are as follows :

1. Expanding provision of free basic education both formal and non-formal from nine to twelve years, and extending compulsory education from six to nine years;
2. Providing education to meet the learners' basic learning needs, upgrading their skills, and encouraging their self-development so that they may continuously improve their quality of life and livelihood;
3. Implanting internal and external quality assurance system in schools and education institutions;
4. Reforming administration and management of education to encourage full participation of local educational authorities and local community;

5. Encouraging private sector participation in educational provision by liberalizing rigid rules and regulations;
6. Reforming pedagogy by emphasizing learner-centered activities and establishing life-long learning centers;
7. Reforming the curriculum, allowing for contribution/ participation of stakeholders, to meet new challenges and demands of different groups of learners with an emphasis on mathematics, science, and technology in parallel with the promotion of pride in national identity and cultural heritage;
8. Reforming resource allocation at the national level on the basis of equity and encourage local educational authorities and communities to mobilize their resources for education.

Measures of the Reform

1. Reform of Curriculum

A core curriculum for basic education has been developed, aimed at preserving Thai identity and

providing international contents to enable learners to keep up with updated information. It is flexible enough to facilitate the community to make adjustments in response to local demands. Curricula at all levels of education is diversified and commensurate with each level with the aim of improving the quality of each individual, suited to his age and potential. The substance of the curricula, both academic and professional, aims at human development with desirable balance regarding knowledge, critical thinking, capability, virtue and social responsibility. English is chosen as one of the core subjects from primary level in order to equip our students for the new economy. At the secondary level, mathematics, sciences, computers, and language skills have been given particular attention. The new curriculum will be enforced in 2002.

2. Quality Assurance

A system of quality assurance will be set up to ensure improvement of educational quality and standards at all levels. Such system will be comprised of both internal and external quality assurance. A quality assurance system for basic education is being drafted. All

educational institutions will be required to draft their own plans and must submit their annual report to local educational authorities. Local educational authorities will assess educational institutions in their jurisdiction once every three years. As for the external quality assessment, all educational institutions will be assessed by an Office for National Education Standards and Quality Assessment once every five years.

3. Professional Development

Teachers and educational personnel are the major components of educational inputs since they play a vital role in transferring knowledge to the learners. They must keep up with current developments and future trends since through the new learner-centered approach, they will act as facilitators and must change their teaching habits. Therefore, the Ministry of Education will encourage development of a system for teachers and educational personnel so that teaching will be further enhanced and become a highly respected profession. Teachers will have to obtain a professional license and will be provided with more in-service training, particularly in

English and ICT. Salary scales for teachers will be separate from those of other civil servants. The evaluation will also be based on performance.

4. Reform of Learning Processes

The Act stipulates that educational institutions and agencies should organize learning processes to cover the following points:

- Substances and activities in line with the learners' interests and aptitudes.
- Training in thinking process, management, how to face various situations and application of knowledge for obviating and solving problems.
- Activities drawing from authentic experience to enable learners to critically think and apply to their real lives.
- A balanced integration of subject matter, integrity, values, and desirable attributes.
- The ability to learn at all times and in all places.

Many programs are initiated in order to serve learning processes, such as a network of learner-centered

based teachers, royal awards to schools with distinguished performance.

5. Reform of Assessment and Evaluation of Learning

The aim of education assessment is to improve the quality of learning. The conventional assessment by using multiple choices is being shifted to an authentic assessment where learning outcomes will be assessed from the student's assignments. Credits accumulated by learners will be transferable within the same type or between different types of education, namely formal, non-formal, and informal, regardless of whether the credits have been accumulated from the same or different educational institutions, including learning from non-formal or informal education, vocational training, or from work experience. Educational institutions and local authorities will be authorized to assess learner's achievement according to the curriculum standards and benchmarks. National standards will be set up to evaluate learner's academic achievement. A system of academic assessment at each entry point, namely grade 3, 6, 9, and

12 will be undertaken. The system is enforced in the academic year 2001. The subjects to be assessed at grade 3 will be Thai and mathematics while at grade 6 Thai, mathematics, and English will be assessed. At grades 9 and 12, Thai, mathematics, science and technology, social studies and English will be assessed under the new system.

6. Reform of Educational Administration and Management

By August 2002, all educational agencies, namely the Ministry of Education, the Office of the National Education Commission, and the Ministry of University Affairs, will be merged into one single ministry entitled "Ministry of Education, Religions and Culture." The Ministry will decentralize its authority to local authority offices in terms of educational administration and management. Educational service areas will be set up according to the number of educational institutions and the number of population and some other appropriate conditions. In each educational service area, an Area Committee for Education will be set up to oversee local

educational institutions to enable them to provide education in compliance with the educational policies and standards.

Future Trends

From the guidelines of education reform, the Ministry of Education is drafting the Ninth Educational, Religious and Cultural Development Plan for 2002-2006 which includes nine strategies to translate the reform into actual plans.

1. Enhancing the effectiveness and coverage of educational provision that increase lifelong educational opportunity for all Thai citizens.

This strategy applies to all types of education as well as to skills training for occupational purposes. In particular, resources will be mobilized to provide equitable opportunity to the disabled and the disadvantaged.

2. Promoting educational quality that realizes the potential of Thai people and strengthens Thai society.

It aims at learning reform that will enable the learners to co-exist in harmony and to further the cause of democracy under a constitutional monarchy. Teachers

and educational personnel will be developed professionally for quality delivery of high standards while the learners will be developed physically, mentally, socially and intellectually.

3. Fostering a learning society where Thai people create and disseminate knowledge.

Learning networks will be developed and promoted to provide access to learning services. Information technology, the media and innovation will be used to create a knowledge society.

4. Promoting spiritual dimension in daily life through religious practices, morality and values.

In particular, it emphasizes His Majesty the King's concept of sufficiency economy as a means to instil in people a caring lifestyle that is in harmony with nature and the environment.

5. Introducing cultural dimension to development that strengthens the family, community and society and aims to preserve our national identity;

6. Transforming a conventional management style into a performance-based one with an emphasis on decentralization, strategic planning and information technology;
7. Creating and enhancing professionalism in educational, religious and cultural personnel;
8. Establishing a national quality assurance system;
9. Setting up a mechanism of partnership and resource mobilization for educational provision.

Innovative Measures

1. **All 5,868 community learning centers** are developed to render education more accessible to learners so that local communities can become part of the learning society. Learners are expected to be well equipped with necessary skills for further education and training. **Ten community colleges** have been set up in those provinces where there are no tertiary institutions as a pilot project. They provide another option for school-leavers to be trained in specific skills

of their own choice or according to local demands.

2. The existing SchoolNet project is being expanded to connect schools with the Internet. At present, approximately sixty percent of our secondary schools are provided with computers that are connected to the Internet. The Ministry of Education is still developing the infrastructure to make full use of ICT networks among schools in Thailand. By the year 2003, it is expected that all 2,668 secondary schools in Thailand will be equipped with computers and the Internet connection while all 30,870 primary schools will be electronically connected by the year 2005. Currently, the government is launching a project to link sub-districts (tambon) with the Internet. Under the pilot project, 1,000 tambons have been selected to provide with infrastructure to link with the Internet.
3. Local communities and all segments of society are mobilized to involve in education provision.

In each educational institution, there will be a board comprising representatives of parents, teachers, community and local administrations in order to supervise and support educational management.

Education Policy of the Ministry of Education

The Ministry of Education formulates an education policy in accordance with the 1997 Constitution and 1999 National Education Act. The policy aims to build a knowledge society by ensuring equal access to education for all. It consists of the following measures:

1. Accelerating the implementations of reform in educational management and administrating structure in line with the 1999 National Education Act;
2. Speeding the reform of all types of educational management at every level by emphasizing quality, efficiency, and equity;
3. Developing educational technology system and information technology networks in order to

meet the demands of both urban and local population;

4. Establishing community colleges especially in areas that lack higher educational institutions;
5. Encouraging all parties concerned to take part in organizing education and training. The government is responsible for system and policy setting, quality assurance, resource allocation to prepare Local Administration Organizations;
6. Promoting Thailand to be an educational hub for neighboring countries;
7. Promoting an integration of education, religion, art and culture, and sports in education for Thai children and youth;
8. Reforming the learning process by focusing on the learner-centered approach, self-study, lifelong education, creativity, a reading habit, provision of libraries, community learning centers, and teaching-learning materials;

9. Improving teachers' status so that they earn public respect and trust while developing and producing teachers of quality and integrity;
10. Improving the curriculum in order to instil discipline, the ability to do practical work and devotion to work in children and youth;
11. Providing an opportunity for graduates of compulsory education, the unemployed, and elderly to undergo training as well as promoting self-employment;
12. Improving the quality of vocational education, making it more responsive to the demands of the agricultural, industrial and service sectors. Learners are also encouraged to take part in skills training.

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Annex A

Thailand Profile 2000

Area	:	513,115 sq.km.
Capital	:	Bangkok
Climate	:	Monsoon with average temperature between 23.7° C.
Population	:	62.3 million
Laborforce	:	33.1 million
Population growth	:	1.09%
People	:	The majority is Thai. The rest includes ethnic Chinese, Malays, Lao, Vietnamese, Indians, and others.
Literacy rate	:	95.0%
Life expectancy	:	Male 65.9 Female 72.1
Religion	:	Buddhism, the national religion, is the professed faith of 95% of the population, but there is absolute religious freedom.
Language	:	Thai is the national and official language. Dialects are spoken in rural areas.
Constitution	:	Constitutional Monarchy
Currency	:	Baht (1 US\$ = 44.75 Baht, as of August 2001)
GDP (current price)	:	4,688 billion Baht
GDP growth	:	4.2%
Per Capita GNP	:	73,771 Baht
Government expenditure as of GDP	:	910.0 billion Baht 16.5%
Inflation	:	2%
Unemployment rate	:	4.7%

Annex B

THAILAND'S EDUCATIONAL PROFILE IN FIGURES :

NEW SERIES

A. School-Age Population	Age Group	1997	1998	1999 ¹	2000 ¹	2001 ¹
<i>(thousand persons)</i>						
Pre-primary	3-5	3,202	2,904	2,889	2,892	2,906
Primary	6-11	6,539	5,786	5,820	5,838	5,835
Secondary	12-17	6,859	6,141	5,968	5,833	5,751
- Lower Secondary	12-14	3,395	2,910	2,846	2,827	2,845
- Upper Secondary	15-17	3,464	3,231	3,122	3,006	2,906
Higher	18-21	4,662	4,512	4,484	4,431	4,344
Total	3-21	21,262	19,343	19,161	18,994	18,836

B. Total Student Enrolment	1997	1998	1999
<i>(thousand persons)</i>			
Formal Education	14,407.5	14,406.3	14,251.2
Non-formal education	5,018.2	3,796.1	3,813.7
Education for the ecclesiastics	583.6	625.8	692.4
Total	19,491.8	18,168.5	14,276.3

C. Student Enrolment by Level	1997	1998	1999 ¹	2000 ¹	2001 ¹
<i>(thousand persons)</i>					
Pre-primary	2,906.7	2,745.1	2,716.6	2,748.3	2,819.8
Primary	5,928.9	5,936.2	5,832.0	5,757.4	5,665.7
Secondary	4,094.2	4,103.9	4,070.9	3,975.7	3,987.6
• Lower Secondary	2,462.6	2,426.9	2,428.6	2,348.4	2,320.0
• Upper Secondary	1,624.1	1,677.0	1,642.3	1,627.2	1,667.7
- General	880.7	963.3	933.0	934.1	944.3
- Vocational	743.3	713.3	709.4	693.2	723.4
Higher	901.7	961.4	971.1	1,043.8	996.8

1 *Projection*

D. Enrolment Ratio	1997	1998	1999 ¹	2000 ¹	2001 ¹
Pre-primary	90.8	94.5	94.0	95.0	97.0
Primary	90.7	102.6	102.8	101.2	99.6
Secondary	59.8	60.5	68.2	68.2	69.3
• Lower Secondary	72.5	84.8	85.4	83.1	81.6
• Upper Secondary	46.8	49.3	52.6	54.1	57.4
- General	25.3	28.9	29.9	31.1	32.5
- Vocational	21.5	22.1	22.7	23.1	24.9
Higher*	19.3	20.1	21.7	23.6	23.0

E. Transition Rate	1997	1998	1999 ¹	2000 ¹	2001 ¹
Lower Secondary	91.2	88.3	88.1	88.0	88.0
Upper Secondary	86.1	82.1	78.5	79.8	83.0
• General	44.6	48.9	43.5	43.8	45.0
• Vocational	41.5	33.2	35.0	36.0	38.0
Higher**	n.a.	88.8	88.5	89.0	92.6

F. Student-Teacher Ratio	1997	1998
Pre-primary	1:26	1:20
Primary	1:21	1:18
Secondary	1:20	1:19
• Lower Secondary	1:21	1:20
• Upper Secondary	1:18	1:18
- General	1:14	1:15
- Vocational	1:26	1:24

¹ Projection

* Excluding students in open universities.

** Excluding new entrants in open universities.

G. Retention Rate	1997	1998	1999 ¹	2000 ¹	2001 ¹
Primary	80.8	81.5	84.8	87.1	87.6
Lower Secondary	92.6	91.9	95.6	95.6	95.6
Upper Secondary	81.6	80.3	80.9	75.5	81.6
- General	83.9	83.9	88.2	75.7	86.9
- Vocational	78.8	75.9	73.2	75.1	75.1

H. Number of Educational Institutions (1999)	Total	Public	Private
Whole Kingdom²	50,402	47,290	3,112
Pre-Primary	45,577	43,123	2,454
Primary	33,840	32,343	1,497
Lower Secondary	10,109	9,555	554
Upper Secondary (General)	2,563	2,416	147
Upper Secondary (Vocational)	854	542	312
Below Bachelor's Degree	573	304	269
Bachelor's Degree	178	145	33
Postgraduate Degree	51	31	20

I. Educational Budget	1997	1998	1999	2000
Amount (billion Baht)	202.9	201.7	207.3	220.6
% of GDP	3.9	3.9	3.7	4.3
% of National Budget	20.6	25.2	25.1	25.7

¹ Projection

- 2 *Some institutions may provide more than one level of education.*



National Education Act

B.E. 2542 (1999)

Official translated by

Office of the National Education Commission

Office of the Prime Minister

Kingdom of Thailand

National Education Act

An Education Reform Act for Further Development of the Thai people

The economic, political, cultural and social crisis has caused all concerned to realize the expediency for the reform of Thai education. The urgently needed reform will undoubtedly redeem the country from the downward spiral, so that Thailand will arise in the immediate future as a nation of wealth, stability and dignity, capable of competing with other in this age of globalization.

Enjoying the status of a central body in charge of formulating policy and plan for national education, the Office of the National Education Commission (ONEC), Prime Minister's Office, has made efforts to bring about genuine and effective education reform. Initial measures were therefore taken to conduct documentary research on successful experiences of 12 countries as well as an analysis of provisions on education included in the constitutions of different countries. The ONEC also prepared essential legal provisions on education for consideration Constitution Drafting Council with the result that the Constitution of the Kingdom of Thailand of 1997 has had the privilege of having unprecedented provisions on education.

From August 1997, in cooperation with scholars, academics and those responsible for education, the ONEC

drafted the National Education Bill in accord with the requirement of section 81 of the Constitution stipulating that "... there shall be a national education law ..."

The drafting of the National Education Act was made on a number of significant bases, notably:

1. Basis of academic information With most gratifying collaboration of academics, researchers, faculty staff and legal specialists, the ONEC conducted a detailed research on 42 major issues on education. It also played an instrumental role in synthesizing concepts and research results including relevant information from various sources, in particular documentary research based on sources available within the country and abroad.

2. Scrutiny by scholars At all drafting stages, the Bill was considered, examined, amended and scrutinized by specialists on education, and experts in economic, social and legal affairs, the first step being the scrutiny by the Educational Legislation Drafting Committee under the chairmanship of Professor Dr. Sippanondha Ketudat, Chairman of the National Economic and Social Development Board. The Bill was subsequently submitted to the National Education Commission, Council of Ministers, Council of State, House of Representatives and Senate respectively. The House of Representatives established a 45-member Extraordinary Committee under the chairmanship of Mr. Abhisit Vejjajiva, Minister to the Prime Minister's Office. Having been approved by the House Extraordinary Committee, the Bill was accordingly

transmitted to the Senate, which appointed a 30-member panel of its own, under the chairmanship of Professor Dr. Kasem Suwanagul, to scrutinize the Bill. It was gratifying to note that members of all committees and panels devoted so much time and efforts to ensure that the Bill benefited from their vision, wisdom and knowledge to the fullest extent possible.

3. Participation of all stakeholders Meetings, seminars and public hearings were organized on a continuous basis for the benefit of government offices, educational institutions, private sector and general public both in Bangkok and in the provinces. A total of 254,318 persons participate in these activities. At the House Committee stage, a total of 8 public hearings in all regions were conducted in order to listen to opinions of 38,942 persons-both individuals and representatives of various organizations.

4. Public relations Services of a variety of media - radio, television, newspapers and publications - were availed of in order to disseminate information on the Bill to teachers, educational administrators, parents, students and general public.

5. Public polls The ONEC, in collaboration with the Suan Dusit and ABAC Polls*, sounded public opinions on major issues on education in order to arrive at conclusions and consensus. During the polls, conducted

* *Public polls conducted by the Rajabhat Institute, Suan Dusit and Assumption University respectively.*

between January 1997 and October 1998, a total of 105,376 persons provided their views and relevant recommendations. In other words, the public was given maximal opportunities to voice its opinion; in fact almost to the same extent as those given for the drafting of the Constitution itself.

On July 1, 1999, the bill received the final approval of the House of Representatives. Altogether a period of one year and 11 months was devoted to its drafting. On August 14 of the same year, His Majesty King Bhumibol Adulyadej graciously granted His Royal Assent for the promulgation of the National Education Act B.E. 2543 (1999), which was subsequently published on August 19, 1999 in the Government Gazette.

The provisions of the Act are to be found in the pages that follow.

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National Education Act, B.E. 2542 (1999)

BHUMIBOL ADULYADEJ REX

Enacted on the 14th Day of August B.E. 2542;

Being the 54th Year of the Present Reign.

Phrabat Somdet Phra Paramintharamaha Bhumibol Adulyadej is graciously pleased to proclaim that the promulgation of a National Education Act is deemed necessary.

This Act includes certain provisions having implications on restriction of a person's rights and liberties. Sections 29 and 50 of the Constitution of the Kingdom of Thailand authorize such restriction by virtue of the provisions of specific laws.

His Majesty, therefore, granted His Royal assent for the promulgation of the National Education Act in accordance with the recommendation and consent of the National Assembly as follows :

Section 1 This Act shall be called the "National Education Act B.E. 2542"

Section 2 This Act shall be in force as of the day after its promulgation in the Government Gazette.

Section 3 All existing statutory provisions, rules, regulations, codes of practice, announcements, and orders relating to those promulgated in this Act or contrary to or

inconsistent with the provisions in this Act shall be annulled and henceforth replaced by those in this Act.

Section 4 In this Act,

“Education” means the learning process for personal and social development through imparting of knowledge; practice; training; transmission of culture; enhancement of academic progress; building a body of knowledge by creating a learning environment and society with factors available conducive to continuous lifelong learning.

“Basic education” means education provided before the level of higher education.

“Lifelong education” means education resulting from integration of formal, non-formal, and informal education so as to create ability for continuous lifelong development of quality of life.

“Educational Institutions” means early childhood development institutions, schools, learning centres, colleges, institutes, universities, educational agencies, or other state or private bodies with powers and duties or aims of providing education.

“Basic education institutions” means those providing basic education.

“Educational Standards” means specifications of educational characteristics, quality desired, and proficiency required of all educational institutions. They serve as means for equivalency for purposes of enhancement and monitoring, checking, evaluation, and quality assurance in the field of education.

“Internal quality assurance” means assessment and monitoring of the educational quality and standards of the institutions from within. Such assessment and monitoring are carried out by personnel of the institutions concerned or by parent bodies with jurisdiction over these institutions.

“External quality assurance” means assessment and monitoring of the educational quality and standards of the institutions from outside. Such assessment and monitoring are to be carried out by the Office for National Education Standards and Quality Assessment or by persons or external agencies certified by the Office. Such measures ensure the quality desired and further development of educational quality and standards of these institutions.

“Instructors” means teachers and faculty staff of educational institutions at different levels.

“Teachers” means professional personnel with major responsibilities for learning and teaching and encouragement of learning among learners through various methods in both state and private educational institutions.

“Faculty staff” means personnel with major responsibilities for teaching and research in state and private educational institutions at the degree level.

“Educational institution administrators” means professional personnel responsible for administering each state and private educational institution.

“Educational administrators” means professional personnel responsible for educational administration outside educational institutions. Their responsibilities cover the level of educational service area and above.

“Educational personnel” means educational institution administrators, educational administrators as well as supporting personnel providing services or whose responsibilities relate to teaching-learning process, supervision, and educational administration in the different institutions.

“Ministry” means the Ministry of Education, Religion and Culture.

“Minister” means the Minister who shall oversee the application of this Act.

Section 5 The Minister of Education, Religion, and Culture shall oversee the application of this Act and shall be authorized to formulate ministerial rules, regulations, and announcements related to its application.

Following their proclamation in the Government Gazette, the ministerial rules, regulations, and announcements shall enter into force.

Chapter1

General Provisions:

Objectives and Principles

Section 6 Education shall aim at the full development of the Thai people in all aspects: physical and mental health; intellect; knowledge; morality; integrity; and desirable way of life so as to able to live in harmony with other people.

Section 7 The learning process shall aim at inculcating sound awareness of politics and democratic system of government under a constitutional monarchy; ability to protect and promote their rights, responsibilities, freedom, respect of the rule of law, equality, and human dignity; pride in Thai identity; ability to protect public and national interests; promotion of religion, art, national culture, sports, local wisdom, Thai wisdom and universal knowledge; inculcating ability to preserve natural resources and the environment; ability to earn a living; self-reliance; creativity; and acquiring thirst for knowledge and capability of self-learning on a continuous basis.

Section 8 Educational provision shall be based on the following principles:

- (1) Lifelong education for all;

- (2) All segments of society participating in the provision of education;
- (3) Continuous development of the bodies of knowledge and learning processes.

Section 9 In organizing the system, structure, and process of education, the following principles shall be observed:

- (1) Unity in policy and diversity in implementation;
- (2) Decentralization of authority to educational service areas, educational institutions, and local administration organizations;
- (3) Setting of educational standards and implementing system of quality assurance for all levels and all types of education;
- (4) Raising the professional standards of teachers, faculty staff, and educational personnel, who shall be developed on a continuous basis;
- (5) Mobilization of resources from different sources for provision of education;
- (6) Partnerships with individuals, families, communities, community organizations, local administration organizations, private persons, private organizations, professional bodies, religious institutions, enterprises, and other social institutions.

Chapter 2

Educational Rights and Duties

Section 10 In the provision of education, all individuals shall have equal rights and opportunities to receive basic education provided by the State for the duration of at least 12 years. Such education, provided on a nationwide basis, shall be of quality and free of charge.

Persons with physical, mental, intellectual, emotional, social, communication, and learning deficiencies; those with physical disabilities; or the cripples; or those unable to support themselves; or those destitute or disadvantaged; shall have the rights and opportunities to receive basic education specially provided.

Education for the disabled in the second paragraph shall be provided free of charge at birth or at first diagnosis. These persons shall have the right to access the facilities, media, services, and other forms of educational aid in conformity with the criteria and procedures stipulated in the ministerial regulations.

Education for specially gifted persons shall be provided in appropriate forms in accordance with their competencies.

Section 11 Parents or guardians shall arrange for their children or those under their care to receive compulsory education as provided by section 17 and as provided by relevant laws, as well as further education according to the families' capabilities.

Section 12 Other than the State, private persons and local administration organizations, individuals, families, community organizations, private organizations, professional bodies, religious institutions, enterprises, and other social institutions shall have the right to provide basic education as prescribed in the ministerial regulations.

Section 13 Parents or guardians shall be entitled to the following benefits:

- (1) State support for knowledge and competencies in bringing up and providing education for their children or those under their care;
- (2) State grants for the provision of basic education by the families for the children or those under their care as provided by the law;
- (3) Tax rebates or exemptions for educational expenditures as provided by the law.

Section 14 Individuals, families, communities, community organizations, private organizations, professional bodies, enterprises, and other social institutions, which support or provide basic education, shall be entitled to the following benefits as appropriate:

- (1) State support for knowledge and competencies in bringing up those under their care;
- (2) State support for the provision of basic education as provided by the law;
- (3) Tax rebates or exemptions for educational expenditures as provided by the law.

Chapter 3 Educational System

Section 15 There shall be three types of education: formal, non-formal, and informal

- (1) Formal education shall specify the aims, methods, curricula, duration, assessment, and evaluation conditional to its completion.
- (2) Non-formal education shall have flexibility in determining the aims, modalities, management procedures, duration, assessment and evaluation conditional to its completion. The contents and curricula for non-formal education shall be appropriate, respond to the requirement, and meet the needs of individual groups of learners.
- (3) Informal education shall enable learners to learn by themselves according to their interests, potentialities, readiness and opportunities available from individuals, society, environment, media, or other sources of knowledge.

Educational institutions are authorized to provide any one or all of the three types of education.

Credits accumulated by learners shall be transferable within the same type or between different types of education, regardless of whether the credits have been accumulated from the same or different educational institutions, including learning from non-formal or

informal education, vocational training, or from work experience.

Section 16 Formal education is divided into two levels: basic education and higher education.

Basic education is that provided for the 12 years before higher education. Differentiation of the levels and types of basic education shall be as prescribed in the ministerial regulations.

Higher education is divided into two levels: lower-than-degree level and degree level.

Differentiation or equivalence of the various levels of non-formal or informal education shall be as stipulated in the ministerial regulations.

Section 17 Compulsory education shall be for nine years, requiring children aged seven to enrol in basic education institutions until the age of 16 with the exception of those who have already completed grade 9. Criteria and methods of calculating children's age shall be as stipulated in the ministerial regulations.

Section 18 Early childhood and basic education shall be provided in the following institutions:

- (1) Early childhood development institutions, namely: childcare centres; child development centres; pre-school child development centres of religious institutions; initial care centres for disabled children or those with special needs,

or early childhood development centres under other names.

- (2) Schools, namely: state schools, private schools, and those under jurisdiction of Buddhist, or other religious institutions.
- (3) Learning centres, namely: those organized by non-formal education agencies; individuals; families; communities; community organizations; local administration organizations; private organizations; professional bodies; religious institutions; enterprises; hospitals; medical institutions; welfare institutes; and other social institutions.

Section 19 Higher education shall be provided in universities, institutes, colleges, or those under other names in accordance with the laws on higher education institutions, those on the establishment of such institutions and other relevant laws.

Section 20 Vocational education and occupational training shall be provided in educational institutions belonging to the State or the private sector, enterprises, or those organized through cooperation of educational institutions and enterprises, in accordance with the Vocational Education Act and relevant laws.

Section 21 Ministries, bureaus, departments, state enterprises, and other state agencies shall be authorized to provide specialized education in accordance with their needs and expertise, bearing in mind the national

education policy and standards. The criteria methods and conditions as stipulated in the ministerial regulations shall be observed.

Chapter 4

National Education Guidelines

Section 22 Education shall be based on the principle that all learners are capable of learning and self-development, and are regarded as being most important. The teaching-learning process shall aim at enabling the learners to develop themselves at their own pace and to the best of their potentiality.

Section 23 Education through formal, non-formal, and informal approaches shall give emphases to knowledge, morality, learning process, and integration of the following, depending on the appropriateness of each level of education:

- (1) Knowledge about oneself and the relationship between oneself and society, namely: family, community nation, and world community; as well as knowledge about the historical development of the Thai society and matters relating to politics and democratic system of government under a constitutional monarchy;
- (2) Scientific and technological knowledge and skills, as well as knowledge, understanding and experience in management, conservation,

and utilization of natural resources and the environment in a balanced and sustainable manner;

- (3) Knowledge about religion, art, culture, sports, Thai wisdom, and the application of wisdom;
- (4) Knowledge and skills in mathematics and languages, with emphasis on proper use of the Thai language;
- (5) Knowledge and skills in pursuing one's career and capability of leading a happy life.

Section 24 In organizing the learning process, educational institutions and agencies concerned shall:

- (1) provide substance and arrange activities in line with the learners' interests and aptitudes, bearing in mind individual differences;
- (2) provide training in thinking process, management, how to face various situations and application of knowledge for obviating and solving problems;
- (3) organize activities for learners to draw from authentic experience; drill in practical work for complete mastery; enable learners to think critically and acquire the reading habit and continuous thirst for knowledge;
- (4) achieve, in all subjects, a balanced integration of subject matter, integrity, values and desirable attributes;
- (5) enable instructors to create the ambiance, environment, instructional media, and facilities for learners to learn and be all-round persons,

able to benefit from research as part of the learning process. In so doing, both learners and teachers may learn together from different types of teaching-learning media and other sources of knowledge;

- (6) enable individuals to learn at all times and in all places. Cooperation with parents, guardians, and all parties concerned in the community shall be sought to develop jointly the learners in accordance with their potentiality.

Section 25 The state shall promote the running and establishment, in sufficient number and with efficient functioning, of all types of lifelong learning sources, namely: public libraries; museums; art galleries; zoological gardens; public parks; botanical gardens; science and technology parks; sport and recreation centres; data bases; and other sources of learning.

Section 26 Educational institutions shall assess learners' performance through observation of their development; personal conduct; learning behaviour; participation in activities and results of the tests accompanying the teaching-learning process commensurate with the different levels and types of education.

Educational institutions shall use a variety of methods for providing opportunities for further education and shall also take into consideration results of the

assessment of the learners' performance referred to in the first paragraph.

Section 27 The Basic Education Commission shall prescribe core curricula for basic education for purposes of preserving Thai identity; good citizenship; desirable way of life; livelihood; as well as for further education.

In accordance with the objectives in the first paragraph, basic education institutions shall be responsible for prescribing curricular substance relating to needs of the community and the society, local wisdom and attributes of desirable members of the family, community, society, and nation.

Section 28 Curricula at all levels of education and those for the persons referred to in the second, third, and fourth paragraphs of section 10 shall be diversified and commensurate with each level, with the aim of improving the quality of life suitable for each individuals age and potentiality.

The substance of the curricula, both academic and professional, shall aim at human development with desirable balance regarding knowledge, critical thinking, capability, virtue and social responsibility.

Apart from the characteristics referred to in the first and second paragraphs, higher education curricula shall emphasize academic development, with priority given to higher professions and research for development of the bodies of knowledge and society.

Section 29 Educational institutions in cooperation with individuals, families, communities, community organizations, local administration organizations, private persons, private organizations, professional bodies, religious institutions, enterprises, and other social institutions shall contribute to strengthening the communities by encouraging learning in the communities themselves. Thus communities will be capable of providing education and training; searching for knowledge, data, and information; and be able to benefit from local wisdom and other sources of learning for community development in keeping with their requirements and needs; and identification of ways of promoting exchanges of development experience among communities.

Section 30 Educational institutions shall develop effective learning process. In so doing, they shall also encourage instructors to carry out research for developing suitable learning for learners at different levels of education.

Chapter 5

Educational Administration and Management

Part 1

Educational Administration and Management

by the State

Section 31 The Ministry shall have the powers and duties for overseeing all levels and types of education, religion, art and culture; formulation of education policies, plans and standards; mobilization of resources for education, religion, art and culture; as well as monitoring and evaluation of results in the fields of education, religion, art and culture.

Section 32 The Ministry shall have four main pillars in the form of groups of individuals called a "council" or a "commission" as the case may be. These are: National Council of Education, Religion and Culture; Commission of Basic Education; Commission of Higher Education; and Commission of Religion and Culture. They shall be responsible for providing views or advice to the Minister or the Council of Ministers and shall have other powers and duties as provided by the law.

Section 33 The National Council of Education, Religion and Culture shall be responsible for proposing national education policies, plans and standards; policies and plans for religious, artistic and cultural affairs; mobilization of resources; evaluation of provision of education; assessment of management of religious, artistic and cultural affairs; as well as scrutinizing various laws and ministerial regulations as stipulated in this Act.

The National Council of Education, Religion and Culture shall be comprised of the Minister as Chairman; ex-officio members from the various agencies concerned; representatives of private, local administration, professional organizations; and scholars whose total number shall not be less than that of all other categories combined.

The Secretariat of the National Council of Education, Religion and Culture shall be a legal entity with its Secretary-General serving as member and secretary.

The number of members of the National Council, their qualifications, criteria, nomination procedures, selection method, term and termination of office shall be as prescribed by the law.

Section 34 The Commission of Basic Education shall be responsible for proposing policies, development plans, standards, and core curricula for basic education in line with the National Scheme of Education, Religion, Art and Culture; mobilization of resources; monitoring; inspection; and evaluation of the provision of basic education.

The Commission of Higher Education shall be responsible for proposing policies, development plans, and standards for higher education in line with the National Scheme of Education, Religion, Art and Culture; mobilization of resources; monitoring; inspection; and evaluation of the provision of higher education, taking

into consideration academic freedom and excellence of degree-level institutions in accord with the laws on the establishment of such institutions and other relevant laws.

The Commission of Religion and Culture shall be responsible for proposing policies and development plans for religion, art and culture in accord with the National Scheme of Education, Religion, Art and Culture; mobilization of resources; monitoring; inspection; and evaluation of work in the fields of religion, art, and culture.

Section 35 The Commissions referred to in section 33 shall be comprised of: ex-officio members from various agencies concerned; representatives of private, local administration, professional organizations; and scholars whose total number shall not be less than that of all other categories combined.

The number of members of the Commission, their qualifications, criteria, nomination procedures, method of selecting chairpersons and members, terms and termination of office of each Commission shall be as provided by the law with due consideration to different function under the responsibilities of each Commission.

The Secretariats of the Commission referred to in section 33 shall be legal entities and the Secretary-General of each Commission shall serve as member and secretary of the Commission.

Section 36 The state educational institutions providing education at the degree level shall be legal entities and enjoy the status of government or state-supervised agencies with the exception of those providing specialized education referred to in section 21.

The above institutions shall enjoy autonomy; be able to develop their own system of administration and management; have flexibility, academic freedom and the under supervision of the councils of the institutions in accord with the foundation acts of the respective institutions.

Section 37 The administration and management of basic education and higher education at lower-than-degree level shall be based on the educational service areas, taking into consideration the number of educational institutions and the number of population as the main criteria as well as other appropriate conditions.

The Minister, on the advice of the National Council of Education, Religion and Culture, shall be authorized to announce designation of educational service areas in the Government Gazette.

Section 38 In each educational service area, there shall be an Area Committee for Education, Religion and Culture and its Office. The Area Committee and its Office shall have the powers and duties for overseeing educational institutions at the basic and lower-than-degree levels; establishment, dissolution, amalgamation or discontinuance of educational institutions; promotion and

support for private educational institutions in the educational service area; promotion and support for local administration organizations so as to be able to provide education in accordance with the educational policies and standards; promotion and support for education provided by individuals, families community organizations, private organizations, professional bodies, religious institutions, enterprises, and other social institutions offering a variety of training; including overseeing the units responsible for religious, artistic, and cultural affairs in the area.

The Area Committee for Education, Religion and Culture shall be comprised of representatives of community, private, and local administration organizations; teacher associations; educational administrator associations; parent-teacher associations; religious leaders; and scholars in education, religion, art, and culture.

The number of the committee members their qualifications, criteria, nomination procedures, selection of the chairperson and members, and terms and termination of office shall be as stipulated in the ministerial regulations.

The Director of the Office for Education, Religion and Culture of the educational service area shall serve as member and secretary of the Committee for Education, Religion and Culture of the area.

Section 39 The Ministry shall decentralize powers in educational administration and management regarding

academic matters, budget, personnel and general affairs administration directly to the Committees and Offices for Education, Religion and Culture of the educational service areas and the educational institutions in the areas.

Criteria and procedures for such decentralization shall be as stipulated in the ministerial regulations.

Section 40 In each institution providing basic education and that at lower-than-degree level, there shall be a board supervising and supporting the management of the institution. The board shall be comprised of representatives of parents; those of teachers, community and local administration organizations, alumni of the institution, and scholars.

The number of board members, their qualifications, criteria, nomination procedure, selection of chairperson and members of the board, term and termination of office shall be as stipulated in the ministerial regulations.

The director of the educational institution shall serve as member and secretary of its board.

Provisions in this section shall not be applicable to the educational institutions referred to in section 18 (1) and (3).

Part 2

Educational Administration and Management

by Local Administration Organizations

Section 41 Local Administration organizations shall have the right to provide education at any or all levels of education in accordance with readiness, suitability and requirements of the local areas.

Section 42 The Ministry shall prescribe the criteria and procedures for assessing the readiness of the local administration organizations to provide education. The Ministry shall be responsible for co-ordination and promotion of the local administration organizations' capability to provide education in line with the policies and standards required. It shall also advise on the budgetary allocations for education provided by local administration organizations.

Part 3

Educational Administration and Management by the Private Sector

Section 43 The administration and management of education by the private sector shall enjoy independence with the State being responsible for overseeing, monitoring, and assessing educational quality and standards. Private educational institutions shall follow the same rules for assessment of educational quality and standards as those for state educational institutions.

Section 44 Private education institutions referred to in section 18 (2) shall be legal entities and shall establish their own boards comprising private education administrators; authorized persons; representatives of parents; those of community organizations; those of teachers and alumni; and scholars.

The number of board members, their qualifications, criteria, nomination procedures, selection of chairperson and members, term and termination of office shall be as stipulated in the ministerial regulations.

Section 45 Private education institutions shall be authorized to provide education at all levels and of all types as stipulated by the law. Clear-cut policies and measures shall be defined by the State regarding participation of the private sector in the provision of education.

In formulating policies and implementing plans of education provided by the State, educational service areas or local administration organizations, due consideration shall be given to effects on provision of private education. The Minister or the Area Committees for Education, Religion and Culture or the local administration organizations shall accordingly take into account views of the private sector and the public.

Private institutions providing education at the degree level shall be allowed to function with autonomy, develop their own system of administration and management, flexibility, and academic freedom and shall

be under supervision of their own council in accordance with the Act on Private Higher Education Institutions.

Section 46 The State shall provide support in terms of grants, tax rebates or exemptions, and other benefits to private education institutions as appropriate. It shall also provide academic support to private education institutions to reach the standards required and attain self-reliance.

Chapter 6

Educational Standards and Quality Assurance

Section 47 There shall be a system of educational quality assurance to ensure improvement of educational quality and standards at all levels. Such a system shall be comprised of both internal and external quality assurance.

The system, criteria, and methods for quality assurance shall be as stipulated in the ministerial regulations.

Section 48 Parents organizations with jurisdiction over educational institutions and the institutions themselves shall establish a quality assurance system in the institutions. Internal administration which must be a continuous process. This requires preparation of annual reports to be submitted to parent organizations, agencies concerned and made available to the public for purposes of improving the educational quality and standards and providing the basis for external quality assurance.

Section 49 An Office for National Education Standards and Quality Assessment shall be established as a public organization, responsible for development of criteria and methods of external evaluation, conducting evaluation of educational achievements in order to assess the quality of institutions, bearing in mind the objectives and principles and guidelines for each level of education as stipulated in this Act.

All educational institutions shall receive external quality evaluation at least once every five years since the last exercise and the results of the evaluation shall be submitted to the relevant agencies and made available to the general public.

Section 50 The educational institutions shall lend co-operation in preparation of documents and evidence providing relevant information on institutions. They shall also arrange for their personnel, institutions' boards, including parents and those associated with the institutions to provide additional information considered relevant to their to their functioning, on the request of the Office for National Education Standards and Quality Assessment, or persons, or external agencies certified by the Office and entrusted with the task of conducting external evaluation of these institutions.

Section 51 In cases where the results of the external evaluation show that an educational institution has not reached the standards required, the Office for National Education Standards and Quality Assessment shall submit

to the parent organizations recommendations on corrective measures for that institution to improve its functioning within a specific period of time. In cases where corrective measures are not implemented, the Office for National Education Standards and Quality Assessment shall submit reports to the Commission of Basic Education or the Commission of Higher Education so as to take the necessary remedial action.

Chapter 7

Teachers, Faculty Staff and Educational Personnel

Section 52 The Ministry shall promote development of a system for teachers and educational personnel, including production and further refinement of this category of personnel, so that teaching will be further enhanced and become a highly respected profession. The Ministry shall, in this regard, take a supervisory and co-ordinating role so that the institutions responsible for production and development of teachers, faculty staff and educational personnel shall be ready and capable of preparing new staff and continually developing in-service personnel.

Sufficient funds shall be allocated by the State for the budget required and for establishing the Fund for Development of Teachers, Faculty Staff and Educational Personnel.

Section 53 There shall be an Organization for Teachers, Educational Institution Administrators and Educational Administrators. The Organization shall enjoy the status of an independent body administered by a professional council under supervision of the Ministry. The Organization shall have the powers and duties for setting professional standards; issuing and withdrawal of licenses; overseeing maintenance of professional standards and ethics; and developing of the profession of teachers, educational institution administrators and educational administrators.

Teachers, administrators of educational institutions, educational administrators and other educational personnel of both the state and private sectors shall have professional licenses as provided by the law.

In establishing the Organization for Teachers, Educational Institution Administrators and Educational Administrators and other educational personnel, determination of qualifications required, criteria and procedures for issuing and withdrawal of licenses shall be as stipulated by the law.

The provision in the second paragraph shall not apply to educational personnel providing informal education, educational institutions referred to in section 18 (3), administrators at the educational levels above education service areas, and specialized educational resource persons.

The provisions in this section shall not apply to the faculty staff, educational institution administrators and educational administrators of higher education at the degree level.

Section 54 There shall be a central organization responsible for administering personnel affairs of teachers. All teachers and educational personnel of agencies at both state educational institution level and educational service area level shall enjoy the status of civil service organization. The personnel affairs administration shall be based on the principle of decentralization to educational service areas and educational institutions as stipulated by the law.

Section 55 There shall be a law on salaries, remuneration, welfare and other benefits allowing teachers and educational personnel sufficient incomes commensurate with their social status and profession.

A Fund for Promotion and Development of Teachers, Faculty Staff and Educational Personnel shall be established to be used as grants for innovations, outstanding achievements and rewards in honour of teachers, faculty staff and teaching personnel as stipulated in the ministerial regulations.

Section 56 The production and development of faculty staff and educational personnel; development of professional standards and ethics; and personnel administration for civil servants or officials in degree-level educational institutions enjoying legal entities shall be as

provided by the foundation laws of the respective institutions or other relevant laws.

Section 57 Educational agencies shall mobilize human resources in the community to participate in educational provision by contributing their experience, knowledge, expertise, and local wisdom for educational benefits. Contributions from those who promote and support educational provision shall be duly recognized.

Chapter 8

Resources and Investment for Education

Section 58 There shall be mobilization of resources and investment in terms of budgetary allocations, financial support and properties from the State; local administration organizations; individuals; families; communities; community organizations; private persons; private organizations; professional bodies; religious institutions; enterprises; other social institutions; and foreign countries, for use in the provision of education as follows:

- (1) The State and local administration organizations capable of providing education shall mobilize resources for education. In so doing, they shall be authorized to levy educational taxes as appropriate, in accordance with provisions in the law.

- (2) As providers and partners in educational provision, individuals; families; communities; local administration organizations; private persons; private organizations; professional bodies; religious institutions enterprises; and other social institutions shall mobilize resources for education, donate properties and other resources to educational institutions and share educational expenditures as appropriate and necessary.

The State and local administration organizations shall encourage and provide incentives for mobilization of these resources by promoting, providing support and applying tax rebate or tax exemption measures as appropriate and necessary, in accordance with provisions in the law.

Section 59 State educational institutions which are legal entities shall be empowered to take charge of, oversee, maintain, utilize and earn interest from their properties, both state land as provided by the State Land Act and other properties; earn income from their services; and charge tuition fees neither contrary to nor inconsistent with their policies, objectives, and main missions.

Immovable properties of state educational institutions which are legal entities acquired through donation or purchase or in exchange for their income shall not be regarded as state land, and the institutions shall have the right of ownership.

Income and interest of educational institutions which are legal entities; interest from the state land; indemnities from violation of study leave; and those from violation of contracts for purchasing properties or hiring of work using budgetary allocations shall not be income to be submitted to the Ministry of Finance as stipulated by the Treasury Reserve Act and the Budgetary Procedure Act.

Income and interest of educational institutions which are not legal entities, interest from state land, indemnities from violation of study leave, and those from violation of contracts for purchasing properties or hiring of work using budgetary allocations shall be utilized by educational institutions in their educational provision as stipulated by the rules of the Ministry of Finance.

Section 60 The State shall be responsible for the following:

- (1) Distribution of general subsidies for per head expenditure commensurate with the needs of those receiving compulsory and basic education provided by the State and the private sector. These grants shall be distributed on an equal basis.
- (2) Distribution of grants in terms of loans for those from low-income families, as appropriate and necessary.

- (3) Distribution of budgetary allocations and other special educational resources suitable and in line with the requirements for educational provision for each group of persons with special needs referred to in the second, third and fourth paragraphs of section 10. In so doing, consideration shall be given to equality of educational opportunity and justice in accordance with the criteria and procedures stipulated in the ministerial regulations.
- (4) Distribution of budgetary allocations for operating and capital costs of educational institutions in accordance with the policies, the National Education Development Plan, and the missions of the respective institutions, which shall be allowed freedom in utilization of the allocations and educational resources. In so doing consideration shall be given to quality and the equality of education opportunity.
- (5) Distribution of budgetary allocations as general subsidies for state degree-level institutions which are legal entities and are state-supervised or public organizations.
- (6) Distribution of low-interest loans to private educational institutions for eventual self-reliance.
- (7) Establishment of the State and Private Education Development Fund.

Section 61 The State shall distribute subsidies for education provided by individuals, families, communities, community organizations, private organizations, professional bodies, religious institutions, enterprises, and other social institutions as appropriate and necessary.

Section 62 There shall be a system for auditing, following-up and evaluation, by internal units and state agencies responsible for external auditing, of efficiency and effectiveness in utilization of educational budgetary allocations in line with the Principles of Education, National Educational Guidelines and the educational quality and standards required.

The criteria and procedures for the auditing, follow-up, and evaluation and prescribed in the ministerial regulations shall be observed.

Chapter 9

Technologies for Education

Section 63 The State shall distribute frequencies, signal transmission devices, and other infrastructure necessary for radio broadcasting, television, telecommunication radio, and other media of communication for use in provision of formal, non-formal, and informal education and enhancement of religious, artistic, and cultural affairs as necessary.

Section 64 The State shall promote and support the production and refinement textbooks, reference books, academic books, publications, materials, and other

technologies for education through acceleration of production capacity; provision of financial subsidy for production and incentives for producers; and development of technologies for education. In so doing, fair competition shall be ensured.

Section 65 Steps shall be taken for personnel development for both procedures and users of technologies for education so that they shall have the knowledge, capabilities, and skills required for the production and utilization of appropriate, high-quality, and efficient technologies.

Section 66 Learners shall have the right to develop their capabilities for utilization of technologies for education as soon as feasible so that they shall have sufficient knowledge and skills in using these technologies for acquiring knowledge themselves on a continual lifelong basis.

Section 67 The State shall promote research and development; production and refinement of technologies for education; as well as following-up, checking, and evaluating their use to ensure cost-effective and appropriate application to the learning process of the Thai people.

Section 68 Financial resources shall be mobilized for the establishment of the Technology for Education Development Fund. These resources shall include state subsidies, concession fees and profits from enterprises relating to mass media and information, and

communication technologies from all sectors concerned, namely, state sector, private sector, and other public organizations. Special fees shall be charged for the application of these technologies for human and social development.

The criteria and procedures for distribution of the Fund for the production, research and development of technologies for education shall be as prescribed in the ministerial regulations.

Section 69 The State shall establish a central unit responsible for proposing policies, plans, promotion and co-ordination of research, development and utilization of technologies for education, including matters relating to evaluation of the quality and efficiency of the production and application of the technologies for education.

Transitory Provisions

Section 70 All legislation, rules, regulations, statues, announcements, and orders pertaining to education, religion, art, and culture applicable on the enactment date of this Act shall continue to be in force until the necessary amendments in line with this Act have been made, which shall not exceed five years after the enactment date.

Section 71 The ministries, bureaus, departments, educational agencies, and institutions in existence on the enactment date of this Act shall enjoy the same status and shall have the same powers and duties until the

educational administration and management as provided by this Act have been in place, which shall not exceed three years after the enactment date of this Act.

Section 72 At the initial stage, the provisions in the first paragraph of section 10 and section 17 shall not apply until the necessary actions in line with these provisions have been taken, which shall not exceed five years after the promulgation date of the Constitution of the Kingdom of Thailand.

Within one year of the enactment date of this Act, the ministerial regulations referred to in the second and fourth paragraphs of section 16 shall be in force.

Within six years of the enactment date of this Act, the Ministry shall have completed the first round of external evaluation of all educational institutions.

Section 73 At the initial stage, provisions in Chapter 5: Educational Administration and Management and Chapter 7: Teachers, Faculty Staff and Educational Personnel shall not apply until the necessary actions in line with these provisions have been taken. These actions include amendment of the Teachers' Act of 1945 and the Teacher Civil Service Act of 1980, which shall not exceed three years after the enactment date of this Act.

Section 74 At the initial stage, pending the establishment of the Ministry, the Prime Minister, the Minister of Education, and the Minister of University Affairs shall oversee the application of this Act; and shall

have the powers to issue ministerial rules, regulations and announcements as provided by this Act, as related to their respective powers and duties.

Necessary actions shall be required regarding provisions in Chapter 5 of this Act relating to educational administration. Before the necessary actions are completed, the Ministry of Education, the Ministry of University Affairs and the National Education Commission shall act as the Ministry of Education, Religion and Culture as provided by this Act, each carrying out the tasks in their respective responsibilities.

Section 75 An Education Reform Office shall be established as an ad hoc public organization by virtue of a royal decree as provided by the Public Organizations Act. Taking public views into consideration, the Office shall:

- (1) propose the structures, organs and division of responsibilities as provided in Chapter 5 of this Act
- (2) propose systems of teachers, faculty staff, and educational personnel as provided in Chapter 7 of this Act;
- (3) propose mobilization of educational resources and investment as provided in Chapter 8 of this Act;

- (4) submit proposals to the Council of Ministers regarding the necessary bills for actions required in (1), (2) and (3);
- (5) submit to the Council of Ministers proposals regarding amendments to legislation, rules, regulations, statutes and orders in force to meet the requirements in (1), (2) and (3) in accordance with this Act;
- (6) carry out other functions as provided by the Public Organizations Act.

Section 76 There shall be established a nine-member Executive Committee of the Education Reform Office, comprised of a chairperson and members, appointed by the Council of Ministers from among those with knowledge, capability, experience and expertise in educational administration; state affairs administration; personnel administration; budgetary, monetary, and financial systems; public laws; and educational laws. The Executive Committee shall include not less than three scholars who are neither civil servants nor officials of state agencies.

The Executive Committee shall be authorized to appoint scholars as its advisers and appoint sub-committees to carry out the tasks it has assigned.

The Secretary-General of the Education Reform Office shall serve as member and secretary of the Executive Committee, which shall supervise the Secretary-General in the administration of the Office.

The Executive Committee and the Secretary-General shall have a single term of office of three years, at the end of which their tenures shall be terminated and the Education Reform Office shall be dissolved.

Section 77 There shall be established a fifteen-member Nominations Committee for the Executive Committee of the Education Reform Office. The Nominations Committee shall propose twice the number of the chairperson and members of the Executive

Committee from among those qualified for submission to the Council of Ministers for appointment. The Nominations Committee shall comprise:

- (1) Five representatives of the agencies concerned, namely: Permanent Secretary for Education, Permanent Secretary for University Affairs, Secretary-General of the Council of State, Secretary-General of the National Education Commission and Director of the Budget Bureau.
- (2) Two members elected among rectors of state or private higher education institutions which are legal entities; three members elected among deans of faculties of pedagogy, educational science, or education of both state and private universities offering masters degree courses in pedagogy, education science, or education. The three members shall include at least a dean of the faculty of pedagogy, education science, or education of a state university.
- (3) Five members elected among representatives of academic or professional associations in the field of education which are legal entities.

The Nominations Committee shall elect one of its members as chairperson and another as secretary of the Committee.

Section 78 The Prime Minister shall oversee the enactment of the royal decree establishing the Education Reform Office and shall have the powers to oversee the functioning of the Office as provided by the Public Organizations Act.

Other than the provisions in this Act, the royal decree establishing the Education Reform Office shall include at least the following:

- (1) Composition, powers, and duties and term of office of the Executive Committee referred to in sections 75 and 76.
- (2) Composition, powers, and duties of the Nominations Committee, criteria, nomination procedures, and proposal for appointment of the Executive Committee referred to in section 77.
- (3) Qualifications and restrictions including termination of office of the Executive Committee, the Secretary-General and staff.
- (4) Capital fund, income, budget, and properties.
- (5) Personnel administration, welfare, and other benefits.
- (6) Supervision, inspection, and evaluation of achievements.
- (7) Dissolution.

- (8) Other provisions necessary for the smooth and efficient functioning of the Office.

Countersigned by :

**Chuan Leekpai
Prime Minister**

Note : The rationale for the promulgation of this Act is the stipulation in the Constitution of the Kingdom of Thailand that the State shall provide education and training for creation of knowledge and morality. The private sector shall also be encouraged to participate in the provision of education and training. The Constitution thus demands that the enactment of the National Education Act is imperative. It requires improvement in the provision of education consistent with economic and social changes; providing knowledge and inculcating sound awareness of politics and a democratic system of government under a constitutional monarchy; promoting research in various disciplines; accelerating the application of education, science, and technology for national development; promoting the teaching profession; and encouraging the revival of wisdom, art and culture of the nation. In the provision of education, due consideration shall be given by the State to the participation of local administration organizations and the private sector as provided by the law and the protection of providing education and training by professional bodies and the private sector under state supervision. There should therefore be a National Education Act to serve as the fundamental law for the administration and provision of education and training in accordance with the provisions in the Constitution. It has, thus, become necessary to promulgate this Act.
