

# PART

## BACKGROUND AND LEGAL FRAMEWORK OF EDUCATION

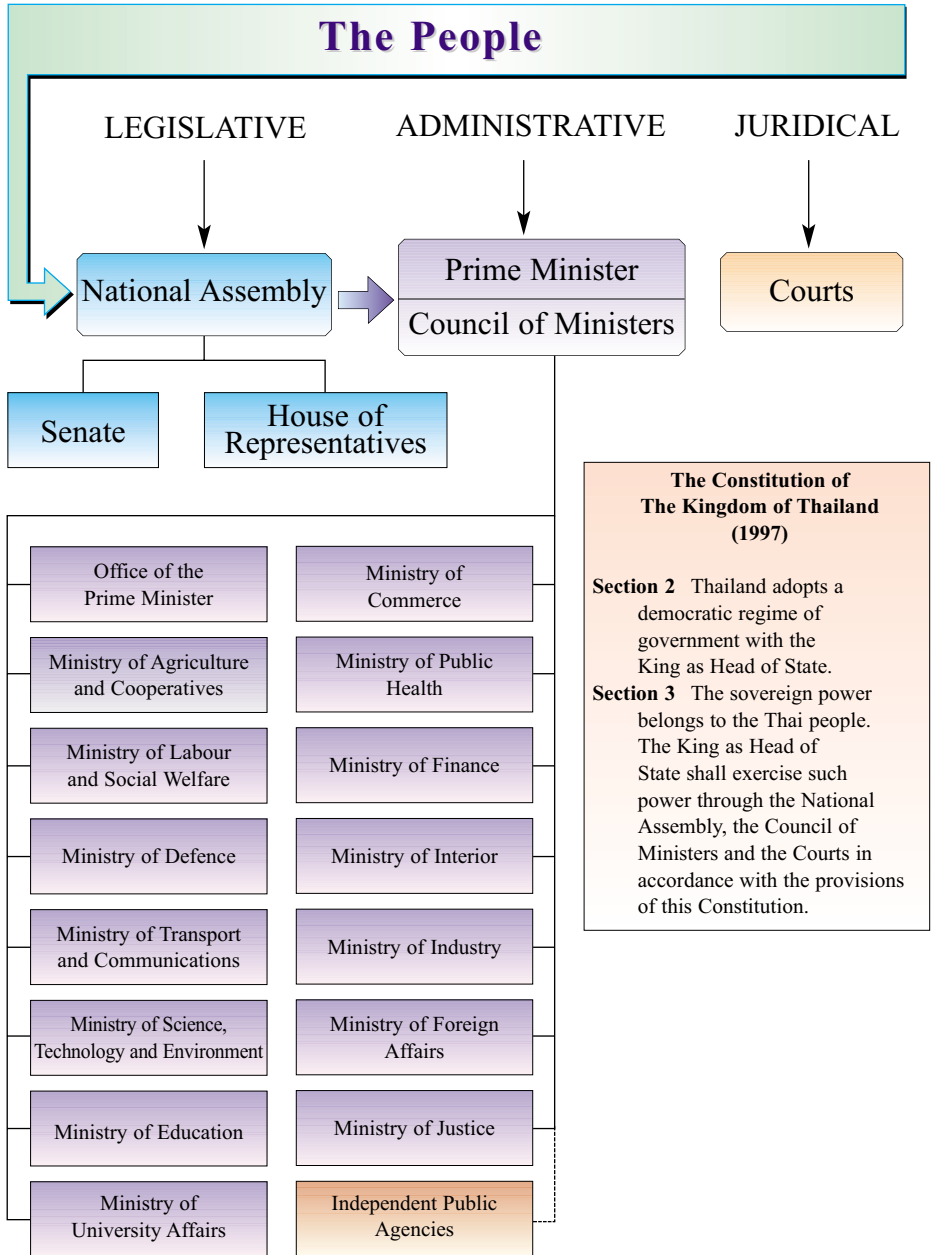
### 1. General Background

**T**he general background of education in *Thailand* presented in this chapter includes the following aspects : government and administrative structure and society and the economy.

#### 1.1 Government and Administrative Structure

The governmental structure of Thailand has undergone gradual and practical evolution in response to the changing environment.

Figure 1 Organization of the Royal Thai Government



Following the change from absolute to a constitutional monarchy, *His Majesty King Prajadhipok* signed *Thailand's* first constitution on 10 December 1932. Over half a century, the basic concepts of constitutional government and monarchy laid down in the 1932 constitution have remained unchanged.

The first and foremost concept is the status of the monarch as Head of State, Head of Armed Forces and Upholder of the Buddhist Religion and all other religions. The second concept concerns the legislative branch. A bicameral *National Assembly* has been created with two categories of members; *Members of Parliament* and *Senators*. The third concept concerns the executive branch. The Prime Minister is head of the government and chief executive. The *Council of Ministers* is responsible for the administration of 14 ministries, as well as the *Office of the Prime Minister*. Holding the portfolio of “Minister Attached to the Prime Minister’s Office” are a number of ministers who take charge of various responsibilities undertaken by this office which is largely concerned with formulating national policy. In addition, a number of cabinet committees, consisting of relevant ministers, have also been set up to coordinate major policies concerned.

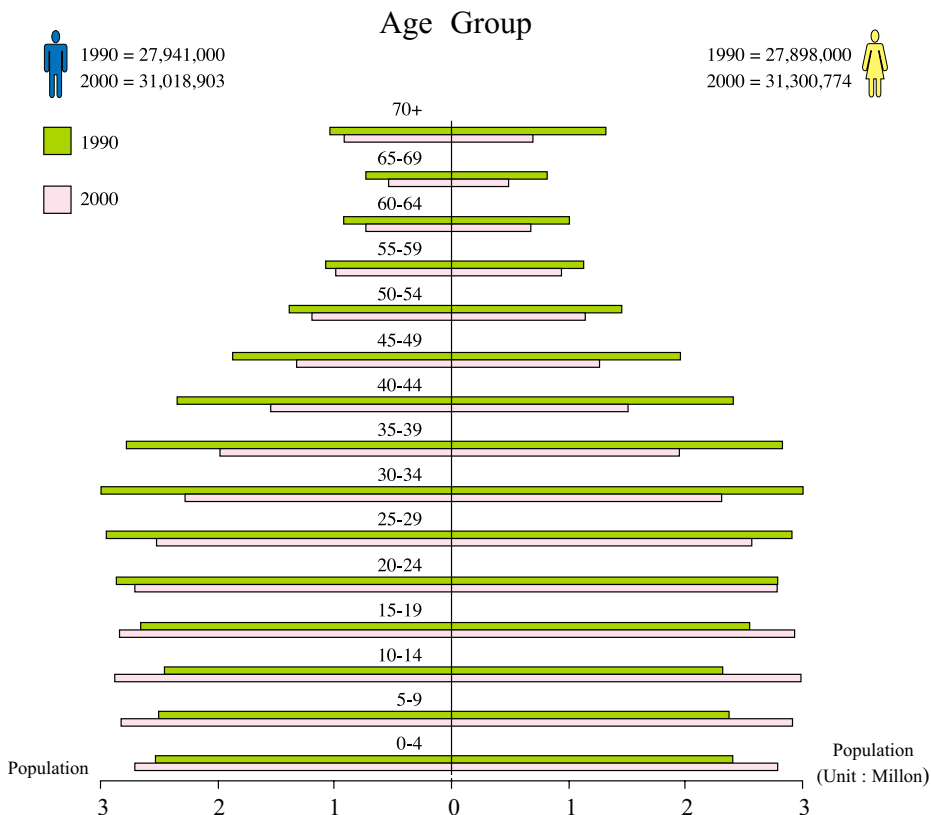
The country is divided into 75 provinces, excluding *Bangkok Metropolis*. Each province, which is administered by an appointed governor, is sub-divided into districts, sub-districts or tambons (groups of villages) and villages. Only the *Bangkok Metropolitan Administration (BMA)*, which is divided into 50 districts, is administered by an elected governor.

## 1.2 Society and Economy

### ● Population and Employment

The total population of *Thailand* increased from 55.8 million in 1990 to 61.6 million in 1999 and it was estimated to be 62.3 million in 2000. The number of females is slightly higher than that of males (Figure 2).

**Figure 2 Population Pyramid of Thailand : 1990 and 2000**



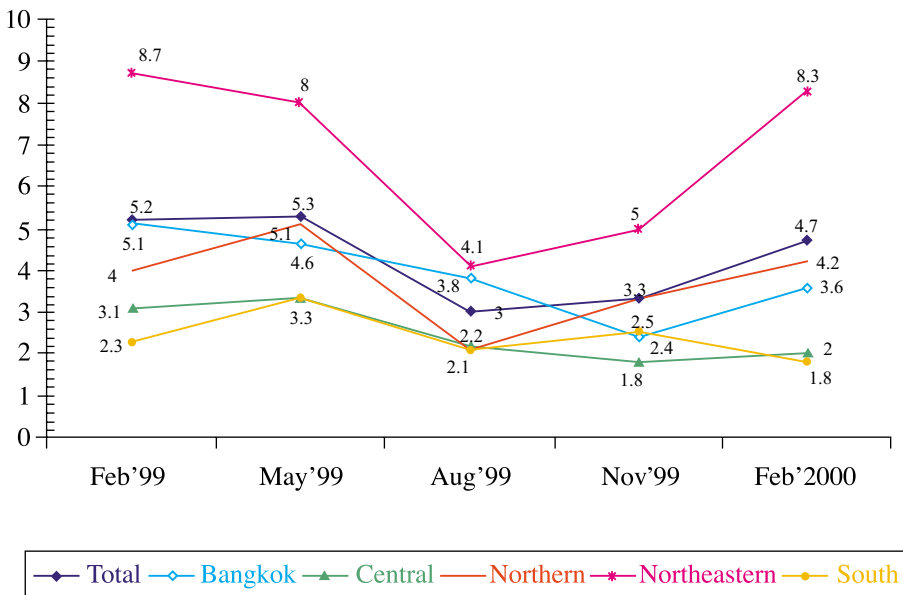
**Source :** 1990 : National Economic and Social Development Board  
2000 : Thailand Population Projection, 1999-2016

In February 2000, 53.2 percent of the total population were in the labour force while about 24.8 percent were those over 13 years old but not in the labour force. The rest of the population or about 22 percent were still under 13 years old.

Among the total number of employed persons, about 45.9 percent were employees of which 4 in 5 were employed in the private sector where there was an increase. Those in the government sector also rose from 8.8 percent in 1999 to 9.2 percent in 2000.

The percentage of own-account workers and unpaid family workers, on the contrary, faced a decline. The unemployment rate decreased to 4.7 percent with about 1.54 million people unemployed, a decline of 0.5 percent from the same period in 1999. The highest jobless rate was found in the Northeast, followed by the North, Bangkok, Central Thailand and the South.

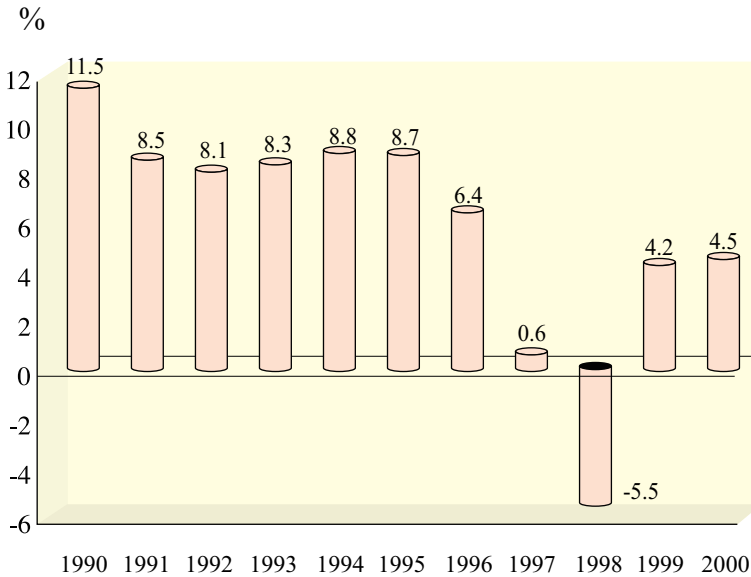
**Figure 3 Unemployment Rate by Region**



Source : National Statistical Office.

### ● Economic Performance

After the crisis of over two years, the Thai economy in the year 1999 expanded by 4.2 percent (Figure 4). Improvements were reflected in almost all sectors, both production and demand. Stability remained firm, with a low inflation rate of 0.3 percent and a surplus current account.

**Figure 4 Real GDP Growth, 1990-2000**

**Source :** *Bank of Thailand and National Economic and Social Development Board*

Compared with the same period in 1999, the economy during the first quarter of the year 2000 expanded by 5 percent with 30.4 percent growth in exports and 8.8 percent expansion in manufacturing production. Car production and sales grew by 62.1 and 97.3 percent accordingly while iron and steel production also expanded by 26.1 percent. Of particular concern was a narrow-based rebound in the economy which was reflected by a decrease of 0.4 percent in domestic bank credit due to a large number of problem loans. Production in several sectors, including beverage, petrochemicals and textiles fell by 30.8, 5.2 and 0.1 percent accordingly.

According to the Bank of Thailand, the overall annual growth rate for the year 2000 is projected at 4.5 percent. On the production front, contribution to growth stemmed from the manufacturing as well as the agricultural sectors. Stability should remain satisfactory, with a low inflation rate of 2.5-3.0 percent.

## 2. The National Education Act 1999

In accord with the requirement of section 81 of the 1997 *Constitution, the first National Education Act* was promulgated in August 1999 to serve as the fundamental law for the administration and provision of education and training. Essential features and the implementation plan of the Act are presented below.

### 2.1 Essential Features of the National Education Act 1999\*

#### Chapter 1 General Provisions : Objectives and Principles

- Educational provision will be based on 3 principles : 1) lifelong education for all, 2) participation by all segments of society, and 3) continuous development of the bodies of knowledge and the learning process.

- The principles in organizing the system, structure, and process of education are: 1) Unity in policy and diversity in implementation; 2) Decentralization of authority; 3) Setting of standards and implementing a system of quality assurance; 4) Raising the professional standards of teachers, faculty staff, and educational personnel; 5) Mobilization of resources; and 6) Partnerships with all sectors of society.

#### Chapter 2 Educational Rights and Duties

- At least 12 years of basic education will be provided to all and will be specially provided to persons with special educational needs.

- Parents, individuals, organizations and institutions supporting or providing basic education will be entitled to benefits from the government; and tax rebates or exemptions for educational expenditures.

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\* The full copy of the Act is accessible through ONEC's  
Web Site : <http://www.onec.go.th>

### Chapter 3 Educational System

- Education will be provided in three types: formal, non-formal, and informal education.
- Formal education is divided into 2 levels: basic education and higher education, with 9 year compulsory education.
- Ministries, bureaus, departments, public enterprises, and other public agencies will be authorized to provide specialized education.

### Chapter 4 National Education Guidelines

- Education will be based on the principle that all *learners are capable of learning and self-development, and are regarded as being most important.*
- The core curricula for basic education will be prescribed by the *Basic Education Commission*. Educational institutions will prescribe curricular substance relating to the needs of the community and the society.
- Higher education curricula will emphasize academic development, with priority given to higher professions and research.

### Chapter 5 Educational Administration and Management

#### Part 1 Administration and Management by the State

Public education will be administered and managed at 3 levels :

#### 1) At National Level

The *Ministry of Education, Religion and Culture* will be established to oversee all levels and types of education, religion, art and culture.

The new Ministry will consist of four organizations:  
1) the National Council for Education, Religion and Culture,





2) the Commission for Basic Education, 3) the Commission for Higher Education, and 4) the Commission on Religion and Culture.

### **2) At the Level of Educational Service Area**

- The administration and management of basic education and higher education at lower-than-degree level will be based on the educational service areas.

- In each educational service area, there will be an Area Committee for Education, Religion and Culture.

### **3) At the Educational Institution Level**

- In each institution providing basic education and that of lower-than-degree level, there will be a board supervising and supporting the management of the institution.

- The Ministry of Education, Religion and Culture will decentralize authority in educational administration and management directly to the Committees and Offices of the educational service areas as well as the educational institutions.



## **Part 2 Administration and Management by Local Administration Organizations**

Local administration organizations will have the right to provide education at all levels according to readiness, suitability and requirements of the local areas. The Ministry of Education, Religion and Culture will prescribe the criteria and procedure for assessing the readiness to provide education of the local administration organizations and will coordinate and promote the capability of those organizations to provide education in line with the policies and standard required.

### **Part 3 Administration and Management by the Private Sector**

- Education by the private sector will be administered and managed independently with the governments overseeing, monitoring and assessment of educational quality and standards.
- The government will provide support to private education institutions.

#### **Chapter 6 Educational Standards and Quality Assurance**

- Quality assurance systems will be established in educational institutions as part of educational administration.
- An Office for National Education Standards and Quality Assessment will be established as a public organization responsible for external evaluation.
- All educational institutions will receive external quality evaluation at least once every five years.

#### **Chapter 7 Teachers, Faculty Staff, and Educational Personnel**

- An *Organization for Teachers and Educational Administrators*, the *Fund for the Development of Teachers, Faculty Staff and Educational Personnel*, as well as a *Fund for Promotion and Development of Teachers, Faculty Staff and Educational Personnel* will be established.

- Teachers, administrators of educational institutions, educational administrators and other educational personnel in both the public and private sector, with the exception of faculty staff, institution administrators and administrators for higher education at degree level, are required to have professional licenses.

- There will be a central organization responsible for administering personnel affairs of teachers as well as a law with regard to salaries, remuneration, welfare



and other benefits for teachers and educational personnel.

### **Chapter 8 Resources and Investment for Education**

- Resources and investment for education will be mobilized from all sectors. Government and local administration organizations will be authorized to levy educational taxes.

- There will be a system for auditing, following-up and the evaluation of efficiency and effectiveness in utilization of the educational budget.

### **Chapter 9 Technologies for Education**

- The government will distribute frequencies, signal transmission devices and other infrastructure for communication for use in provision of education and the enhancement of religious, artistic, and cultural affairs.

- The Technology for Education Development Fund will be established, as well as a central unit responsible for proposing policies, plans, promotion and coordination of research, development and utilization of technologies for education.

## **2.2 Implementation Plan of the National Education Act 1999**

Following the promulgation of the National Education Act 1999, all agencies concerned are required to take the following action as provided by the Act including its transitory provisions.

#### **1. Action to be taken immediately :**

- Establishment of an Education Reform Office as an adhoc public organization with a nine-member Executive Committee.

#### **2. Action to be taken within one year of the enactment date (by 20 August 2000)**

- Issuance of the ministerial regulations to differentiate the levels and types of basic education as well as the ministerial regulations for differentiation or equivalence of the various levels of non-formal or informal education.



### **3. Action to be taken within three years of the enactment date (by 20 August 2002)**

#### **3.1 Educational rights and duties :**

- All individuals will have equal rights and opportunities to receive basic education provided by the State free of charge for at least 12 years.

- Education will be compulsory for 9 years.

#### **3.2 Educational Administration and Management**

- Amalgamation of the Ministry of Education, Ministry of University Affairs, and the Office of the National Education Commission.

- Establishment of an Office for National Education Standards and Quality Assessment.

- The state educational institutions providing education at degree level will be legal entities and enjoy the status of government or state-supervised agencies except those providing specialized education.

- The administration and management of basic education and higher education at lower-than-degree level will be based on the educational service areas.

- Decentralization of educational administration and management.

- Educational administration and management by local administration organizations.

- Educational administration and management by the private sector.

#### **3.3 Development of a system, including production and further refinement, for teachers and educational personnel.**

- *Establishment of the Fund for Development of Teachers, Faculty Staff, and Educational Personnel, as well as a Fund for the Promotion and Development of Teachers, Faculty Staff and Educational Personnel.*

- *Establishment of an Organization for*



*Teachers, Educational Institution Administrators, and Educational Administrators.*

- Establishment of a central organization responsible for administering personnel affairs of teachers.

- Provision of a law on salaries, remuneration, welfare and other benefits.

- Amendments of the Teachers Act 1945 and Teachers Civil Service Act 1978.



**4. Action to be taken within five years of the enactment date (by 20 August 2004)**

- Amendments of all legislations, rules, regulations, statutes, announcements, and orders pertaining to education, religion, art, and culture applicable on the enactment date of the National Education Act 1999, to be in line with the Act.

**5. Action to be taken within six years of the enactment date (by 20 August 2005)**

- *The Ministry of Education, Religion, and Culture* will have completed the first round of external evaluation of all educational institutions.

These reforms are mainly concerned with educational administration and management which require the drafting and amendment of various related laws. The learning reform, however, can be implemented without regulations required, particularly as provided in Chapter 4, National Education Guidelines. All agencies involved will have thus initiated the reform of learning since the drafting of the National Education Act.

*In sum, the National Education Act 1999 has become the fundamental law for the administration and provision of education and training in accord with the new Constitution. It has introduced new initiatives and comprehensive reforms of education in Thailand for the new millennium.*

