

*The Comparative Study of Ethical Procedures in Education for
Law Amendments in Thailand*

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The Southeast Asian Conference on Education 2023
Official Conference Proceedings

Abstract

This study was aimed (1) to examine the condition and problems in ethical processes in education in Thailand (2) to compare the ethical procedures in education from ten countries or regions (3) to provide recommendations for improving legislation within Thailand. The research methodology was based on documentary research that was divided into three phases. The first part was analyzing three pieces related to educational personnel management laws in Thailand and interviewing the experts to verify the finding data. The next step was finding related ethical procedure regulations from ten countries or regions for comparing the procedures outlined in the professional ethics of the Education Code of Conduct by applying the Simultaneous Approach of Comparative method. The last step was consultation with various stakeholders and experts for approving the guidelines of law amendments related to improving ethical procedures in Thailand by applying the policy recommendation method. The finding from Thailand's related laws was that there is an overlap from the personnel management system and an inconsistency among the authorized organizations of schools in Thailand. Moreover, in this comparative study from ten countries or regions, the following points were suggested: The first point was de-centralizing the power of disciplinary and ethical procedures to local educational units and institutes by appointing subcommittee members in each province in advance, for cases of professional misconduct. The second point was revising the subordinate legislation for the disciplinary and ethical procedures to be combined, and having this legislation ultimately amended.

Keywords: Comparative Study, Ethical Procedures, Law Amendments, Thailand

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Introduction

Education is the foundation of any country's progress and development. Teachers are the people who are the core of education in the role of educating people by cultivating knowledge and morals. So, teachers are role models and mentors for every student because they influence the learner's impressionable minds; as well as inculcate sound social and moral values through their words and deeds. Moreover, teachers share their knowledge and help students develop their own characteristics, thereby making a positive impact on their readiness for their future; so that students have tools to solve problems by applying the facts and concepts that they have learned. In addition, teachers have been playing an important role for inspiring and constructing the meaningful education for societies (OECD, 2011).

In order to manage teacher's personal behavior; UNESCO has stated that the code of conduct is a set of written guidelines produced by public authorities or professional organizations; which aims to enhance the commitments, dedication and efficacy of service. It has also provided self-disciplinary guidelines by establishing norms of professional conduct. Furthermore, in the education aspect, a code of conduct provides guidance to teachers with concrete ethical procedures applicable to all kinds of activities (Muriel Poisson, 2009).

The Code of Ethics supports teachers' self-improvements; it outlines teachers' primary responsibilities to their students; and to interact positively with parents, community members, and other stakeholders of the school. Moreover, the Code of Ethics provides the standards of judging conduct that all teachers aspire to. As mandated in the Code of Ethics for Teachers, Thailand has regulated the Code of Ethics for Teachers comprising of five areas: Personal ethics, Teaching Profession ethics, Client centered ethics, Collegial ethics, and Societal ethics (Ethical Professional Standards Regulation, 2013). It is the main regulation for ethics of the teaching profession published by the Thailand Teachers Council, which is the organization of semi government sector acting as juristic person. This organization is authorized by the Ministry of Education responsible for teacher certificates, including registration, suspension and withdrawal of teacher's certificates. Moreover, its function is to regulate teaching professional standards and ethical regulations; as well as professional conduct for the educators to adhere to the teaching professional code of conduct and professional standards. Its mission was aimed to preserve and enhance educators' reputations together with dignity in the profession for building the faith for society; to provide ethical procedures for related complaints of educators; and giving sanctions authorized by the professional committee of the Teachers Council (Teacher and Educational Personnel Council Act, 2003).

Thailand Code of Conducts Regulation

According to Regulation of Teachers Council of Thailand about Ethical Misconduct Procedure Regulations 2010 and amendments, Thailand Teachers Council has regulated the ethical disciplinary procedure as follows:

Table 1: The procedures for consideration of misconduct in professional ethics, 2010 and amendments

Procedures	Time frame
<p>Section 1: Accusation</p> <p>The letter of accusations or any petition must be subjected to the Secretary of Teachers Council of Thailand in accordance with each case whereas the Secretary shall conduct initial investigation in prior. If the case has exceeded one year of its process, starting from the date that the accused has been proven innocent, such case shall be dismissed and shall not be put into further investigation.</p>	Not specified
<p>Section 3: Investigation</p> <p>Item 11 – If the Secretary, as authorized by the professional standard committee, finds that the case is valid due to (1) prominent evidence, (2) credible details or clues in anonymous letters, (3) public reports in the press and media, and/or (4) any other reason that the committee agrees upon, the Secretary has the rights to make accusation in prior to submit the case to the Board for consideration.</p>	Wait for the committee’s approval
<p>Section 4: Designating the Subcommittee for Investigation</p> <p>Item 15 – The Secretary must suggest three to five candidates to be designated as the investigation subcommittee by the committee.</p> <p>Item 17 – Immediately notify the accused about the designation of the investigation subcommittee. In the event of failure in giving notification or the accused refuses to acknowledge, a hard copy of the notification letter must be sent to the accused’s address as recorded on official documents or as specified by the accused via registered post with advice of receipt. After 15 days since the notification letter is posted, the accused therefore cannot refuse the notification and the subcommittee must include a copy of this notification in the investigation file.</p>	Immediately
<p>Section 6: Objection</p> <p>(1) The accused has the rights to object the designation of certain subcommittee members.</p> <p>(2) The Professional Standards Committee must consider, investigate, and come to resolution regarding the objection of the designation of subcommittee members ever since the date that the objection letter is received.</p>	7 days Within 60 days
<p>Section 8 Investigation methods</p> <p>(1) The subcommittee is responsible to conduct and carry out the investigation.</p> <p>(2) The timeframe of the investigation process can be extended.</p> <p>(3) Experts may join the investigation process.</p> <p>(4) Item 33 – The subcommittee must notify the accused in advance if explanation is needed. The notification letter is required to be signed and returned via mail post. The accused will be assigned to give explanation at proper time.</p>	90 days Up to 30 days 15 days 15 days
<p>Item 42 – If the findings after investigation lead to other misconducts which are not defined in the orders regarding the designation of the subcommittee, the head of the subcommittee must report to the Professional Standards Committee.</p> <p>Item 45 – In the event that the fault has been pointed out or a disciplinary action has already been taken by a government division or other authority,</p>	Immediately

such fault or any findings from the investigation can be put into consideration without having to summon additional evidence.	
Section 9: Forms of investigation reports Item 48 – The investigation committee must come to resolution whether the accused’s misconduct in professional ethics based on the following conditions. If the accused is proven innocent, the accusations are considered false and the case must be dismissed. If the accused is proven wrong, it is needed to be clearly specified which rules or regulations were violated, which level of penalty to be given, and the investigation report must be documented.	Cases under investigation is considered close once reported to the committee
Section 12: Item 58 – The Secretary must document the judgement of the Professional Standards Committee and submit it to the president of the Professional Standards Committee. Once the document has been signed by the designated committee members, the accused must be informed of the judgement as well.	15 days
Item 59 – Once the accused has learned the committee’s judgement to suspend or revoke the professional license, the accused must acknowledge the judgement and return the professional license to the Teachers Council of Thailand.	15 days
Item 60 – The accused may appeal the judgement to the Board of Teachers Council of Thailand.	30 days

Resource: Thailand Ethical Misconduct Procedure Regulations 2010, Teachers Council

From the table above, every complaint related to ethical procedures which are made to the Teachers Council, should follow the order of the secretary of the council notifying the appointment of a Professional Committee to investigate and appoint the subcommittee to run the hearing process. The Teachers Council is open for all government and private sectors to make a complaint. Moreover, The Council also accepts the disciplinary cases from the school authorized sectors, but they begin to re-investigate the procedure to judge the possible withdrawal of the registration certificate. This process could be refined by accepting the report from the authorized sectors instead of doing an additional investigation.

For the ethical procedure in Thailand, according to the report of the ethical procedure annual report of 2022 (Teacher Council, 2022), the Teachers Council has a problem with dealing cases that received complaints due to the limited human resources and the inconsistency of procedure which was regulated by the Teacher and Educational Personnel Council Act, 2003 and related regulations such as Ethical Professional. These problems cause the procedures to be weakened and the application of them to be time-consuming. As a result, ethical punishment is not effectively implemented to protect the professional dignity and faithfulness of teachers in Thailand. Moreover, the Thailand Teachers Council is one of the government organizations, but they have no authority to directly assign any procedures to teachers or schools. This reflects the structural problem of the system of ethical procedures.

Therefore, the Thailand Teachers Council should improve the related ethical procedure’s registration or laws to solve the problem of procedure for better service and provide related ethical procedures in the teaching profession. Consequently, it is crucial to examine from high competencies in education of other countries or regions for the appropriate method for applying Thailand’s ethical procedure for teacher. This will lead to more efficient procedures in order to be more effective solutions and this would be beneficial to education in Thailand.

Aim of the Study

1. To examine the condition and problems in ethical procedure in Education of Thailand
2. To compare the international existing procedures when dealing with ethical matters
3. To provide recommendations for improving legislation within Thailand

Methodology

The research methodology was based on documentary research, divided into three phases, as follows:

Phase I: The documents and related current practices and regulations were studied, concerning procedures in professional ethics of Thailand Teachers Council for analyzing the administration system of ethical procedure and overlap amongst the different pieces of laws (Bix,1999). Then, experts of personnel management in Education were interviewed and responses were obtained from both Education offices and private sectors. The data collection instruments were an opened- questionnaire, and outline sheet for discussion for identifying the challenge concerning Ethical Procedure in Education of Thailand. The expertise contained the representative experts from the Office of Professional Ethics of Education Code of Conduct, the Secretariat Office of the Teachers Council of Thailand and Office of Procedure and Laws affiliated to the Teachers Council.

Phase II: The similarity and differences of regulations applicable to the procedure outlined in the professional ethics of the education code of conduct internationally were examined. In this part, countries and regions were chosen according to the IMD 2022 (IMD, 2022) from 63 countries or regions and PISA2018 Result's indicators from 75 countries or regions (OECD, 2019) and the most developed areas from each continent were considered and then chosen. The primary methodology at this stage was a comparative study employing the technique of content analysis and presenting the results in a comparative table by presenting the data of the codes of conduct and related laws.

From the indicator of IMD2022 and PISA2018 Results, ten countries and regions from five continents were chosen as follows:

1. Asia: Singapore, China, Chinese-Taipei, and Japan
2. Europe: England, Ireland, and France
3. Africa: South Africa
4. America: Pennsylvania, the USA, which has the highest rate of teacher investment in 2022. (Department of Education, Pennsylvania, 2022)
5. Australia: Queensland, Australia, which is the first state in Australia regulating teacher registration (Queensland College of Teacher, 2011)

The process of this step was conducted by searching the internet for the code of conduct and related ethical procedures from two parts of each country or region. Then, some academics from experts of comparative laws were interviewed as the following step. After that, the table for analyzing the comparative data was created by applying the Simultaneous Approach of comparative education theory (Khakpour,2012); to find the outstanding points in ethical procedures of education in each area. Therefore, in this part the summative content analysis of the data was applied for conducting the comparison. For the data analysis, the method was divided into three steps: (1) concluding the problem and challenge of ethical procedures in

Thailand, (2) designing the solution of the problems in Thailand by borrowing from other countries (3) and analyzing the design of solution with Thailand context.

Phase III: Providing the recommendation for laws amendments was applied with policy borrowing for Thailand's Ethical Procedure of Teachers Council. After finishing the comparative method, the borrowing policy theory was applied to design the solutions for ethical procedures of Thailand (Phillips,2021). Moreover, the recommendations were developed in consultation with various stakeholders and experts that could be implemented to assist in revising laws associated with procedures in the professional ethics of the education code of conduct of the Teachers Council of Thailand. In this part, focus group interviews were conducted with a group of experts which are from Thailand Teachers Council, Teaching Professional Committee, and Division of Professional ethics and laws, to analyze the solution of this research problem. The interviews were recorded and transcribed for analyzing the data to conclude the recommendations for improving ethical procedures in Education in Thailand.

Findings

According to the purpose of this study, the findings will be organized into three sections: the problems of the system in personal management in Thailand, the comparative international study, and recommendation for revision ethical procedure in Education in Thailand.

Current practices and Challenge of personal systems in Thailand

In this section, to begin with, the laws related to Personal management were examined, including (1) Teacher and Educational Personal for Civil Service Act of 2004 published by the office of the Teacher Civil Service and Educational Personnel Commission, (2) Teachers and Educational Personnel Council Act of 2003 published by Teachers Council of Thailand, (3) Administrative Procedure Act of 1996, published in the Royal Thai Government Gazette Vol.1133. Part60a., and (4) Regulation of Teachers Council of Thailand about Ethical Misconduct Procedure 2010 and amendments, for analyzing the problem of the system in Ethical Procedure in Thailand.

According to the above laws and regulations, it can be concluded that for the misconduct procedure of the personal management in Thailand for teachers, there are two distinct channels of legislation, namely:

(1) Disciplinary Procedure Channel for teachers in Civil Service, From the analysis of Teacher and Educational Personal for Civil Service Act of 2004 section 82 -97, it has been found that the disciplinary procedure of civil service teachers in Thailand is the responsibility of the Local Educational Area office in each province. The disciplinary committee is set up by the Director of Educational Area Office for investigating and hearing any cases of teacher's misconduct behavior. The highest possible sanction against a teacher is dismissal, but the teacher registration is not withdrawn. Moreover, the complainers can also appeal to the educational area office for any process that may be deemed to be unfair. In case of withdrawing the registration of teaching profession, the director should write the notice to the Teachers Council for any further action which consumes time.

(2) Ethical Procedures for teachers in Thailand, This procedure covers all teachers both in government and private sectors in Education all over Thailand. According to three pieces of laws: Teachers and Educational Personnel Council Act of 2003, Administrative Procedure

Act of 1996, and Regulation of Teachers Council of Thailand about Ethical Misconduct Procedure 2010 and amendments; it was found that this procedure was run by a professional standards committee; the decision is approved by the chairman of the committee which takes time, all the ethical procedures are dependent on this committee; starting from consideration on each cases of misconduct, investigation, hearing, sanctions, and appeal. In each process it is necessary to wait for the chairman of the committee to approve and provide the notice; and this hierarchy can cause unnecessary delays. After the approval, the decision is announced by the secretary of the Teachers Council who has the highest authority. As a result, from the statement in the laws to practice, the analysis shows that the power is centralized with the Teachers Council for Ethical Procedures.

In this part, interviews of the experts also provided the information of the current practices and challenges concerning procedures in the professional ethics of the education code of conduct (according to the annual cases results reported in July 2022) as 1) the centralization of power at the Secretariat Office of the Teachers' Council of Thailand; 2) the Professional Standards Commission (PSC), which has the primary responsibility to administer the procedures of the professional ethics of the education code of conduct, must also handle other functions; 3) there is no preliminary review process of incoming cases before issuing a case number. This also covers even the accepted cases, which may not be relevant, yet the Secretariat Office of the Teachers' Council of Thailand may be unable to resolve the issue; 4) there is an absence of a procedure to assist in integrating the disciplinary process and the professional code of conduct; notwithstanding, they constitute the same offence.

In the analysis and interviews regarding these four pieces of legislation, it can be identified that the code of conduct parts in these laws overlap; it provides a division between the disciplinary and ethical procedures; and this creates challenges when trying to practically apply these procedures. So, there is an inconsistency between local authority units in Education and Teachers Council of Thailand because they don't link with each other when applying the laws in misconduct of teacher's procedure. This weakens Thailand's procedures and makes the application of laws time-consuming, and this causes the low efficiency when dealing with disciplinary and ethical issues. Moreover, it is found that Thailand does not decentralize the authority to Educational Office Area and school's despite in the section 24 in the Ministry of Education Act 2003, it states that schools are the organization entity. However, the Thai education administrative style is still Top-down from the center unit, and this means that schools don't have any autonomy in any decision of the code of conduct aspect. Furthermore, the Thai Teachers Council has no authority to control any of the educational units. From this phenomenon, it can be seen that there is an inconsistency in how punishments are given in the code of conduct.

Comparative Study of International Ethical Procedures

Educational professions in ten various nations or regions were examined. It was discovered that most of them had legislation that integrates the professional ethics of the education code of conduct with the professional teaching standards. This is distinct from the ones that are found in Thailand. In Japan, regulations concerning professional ethics have been incorporated into the local public service laws. These laws are referenced from the national public service laws. The People's Republic of China, Singapore, and the Republic of Taiwan all keep their professional ethics regulations and their professional teaching standards completely apart from one another. The People's Republic of China, on the other hand, takes a similar approach to that of Thailand and keeps its professional ethics and the procedures

of ethics distinct from its regulations concerning disciplinary actions. In the other nine countries, the regulations addressing the code of ethics of the teaching profession, and the disciplinary and punishment legislation, are found within the same laws. When taking into consideration the interconnection between the procedures of professional educational ethics in foreign countries, or the special administrative regions according to the issues discovered in phase 1, this study reports the following results: 1) They decentralize power to local educational offices. There are educational institutes and organizations which are authorized by the law to collaborate along with the professional regulating board of the original affiliation. 2) There is a procedure that can be followed to deliberate on cases involving the professional ethics outlined in the education code of conduct. This begins when the educational institutes report the incidents to their original affiliation and the central office. This is determined by the level of offences committed by the professionals. Alternatively, if the case is less serious, all of the action will take place within the educational institutions. On the other hand, if the case is highly offensive, it will be reviewed by a screening committee that decides whether or not to accept and pass on the case. 3) There is a system for investigating and a procedure for the punishment of offences of a professional code of conduct. Each country details sentencing patterns for offensive incidents involving the professional code of conduct and discipline in the primary legislation. 4) A sentence is imposed based on cases. Depending on the circumstances, different degrees of severity of punishment could be assigned to each offence. The most severe level of the sentence consists of revoking the teaching license and prohibiting offenders from doing their teaching job. 5) The procedure for appealing a decision made in an ethics case includes a criterion that indicates the case cannot be judged by the committee or organizations that considered the case before. These results were obtained from the various forms of legislation applicable to each country or region as indicated below in table 2 which was divided into 3 groups.

Table 2: The Comparative of Ethical Procedure in ten countries or regions

Group Data	Separating code of Ethics in Education	Ethical procedure in Education is included in Local Service Laws		
Country or Regions	China	Singapore	Japan	France
Code of Ethics	Code of Ethics 2018	Ethos of Teaching Profession	Ethics for Civil Service	Teaching Professional Standard 2007
Publishing Units	Ministry of Education	Academy of Singapore Teachers	Local Civic Service Units	Ministry of Education
Ethical Procedure Laws	Ethical Procedure for Secondary and Primary Teachers 2018	Public Service Disciplinary Proceedings Regulations	Local Public Service Laws	Public Service for Disciplinary Procedure
Publishing Units	Ministry of Education	Singapore Parliament	Local Public Service Authority Units	France Parliament
Units for Ethical Procedure	School and District Educational Office	School, and Ministry of Education	Local Public Service	Schools, Education Area Office, and Province of Education Office

Table 2: The Comparative of Ethical Procedure in ten countries or regions (Continue)

Group Data	Integrating Teaching Professional Standards and Disciplinary Procedure					
Country or Regions	Pennsylvania, USA	Queensland, Australia	Ireland	England	South Africa	Taiwan
Code of Ethics	Professional Standards and Conducts for Educators	Code of Ethics for Teachers in Queensland	Code of Professional Conduct for Teachers	Teacher's Standards	Code of Professional Ethics and Disciplinary Procedures	Taiwan Teacher Ethics Code
Publishing Units	Department of Education, Pennsylvania	Queensland College of Teacher	The Teachers Council	Department of Education	South African Council for Educators	Taiwan Teacher's Association
Ethical Procedure Laws	Educator Disciplinary Act	Education (Queensland of College Teacher) Act 2005	Teachers Council Act 2015 Section 42(1)	Teachers' Disciplinary (England) Regulations 2012	Code of Professional Ethics and Disciplinary Procedures	Teacher's Act 2019
Publishing Units	Department of Education, Pennsylvania	Queensland College of Teacher	The Teachers Council	Teaching Regulation Agency, Department of Education	South African Council for Educators	Ministry of Education
Units for Ethical Procedure	School and Disciplinary Committee of Department of Education Pennsylvania	College of Teacher Queensland and partners	Schools and Teachers Council	Schools and Teaching Regulation Agency	Schools and South African Council for Educators	Schools and Authority Units

From the data shown on the table above, there are three categories: (1) China has separated code of Ethics in education which was published by Ministry of education, (2) Singapore, Japan and France's ethical procedure in Education is included in Local Civil Service Laws, (3) The rest of the countries or regions have integrated teaching professional standards and disciplinary procedures. Moreover, from the comparative study it was found out that China is the only country amongst the ten examined that uses the ethical procedure regulations instead of specific published acts of legislation. China has enacted the Code of Ethics of 2018 (Ministry of Education, 2018) and the procedures of how to handle these incidents are administered by the ethical procedure regulations which is run by local authorities. An examination of all the educational professions shows that all of them had legislation that put the code of ethics for educators and disciplinary and punishment procedures together, except for China and Thailand. Moreover, every country, except for Thailand, decentralizes power to local educational offices, organizations, or educational institutes to operate procedures and consider cases relating to the professional ethics of the education code of conduct.

Nevertheless, it is apparent that the authority of the divisions and the committee members responsible for ethical and professional conduct is decentralized from the central office to

educational institutions or committee members in each country. Therefore, if authority is properly delegated to personnel in local or provincial educational institutions under the educational service area and if there are sufficient legal personnel, it can lead to a faster operation compared to work done by the central office alone. An interesting point of the results of this study is the decentralization of authority to the operating unit or the parent unit of the local educational institutions, that they are delegated to proceed and report back to the central office in compliance to the Decentralization of Powers to Local Administrative Organizations Act, 1999.

Recommendation for Law Amendments of Thailand

From the comparative study from ten countries or regions in five continents the following two points are submitted for policy amendment recommendations:

1) De-centralize the power of disciplinary and ethical procedures to local educational units and institutes by appointing subcommittee members in each province in advance, for cases of professional misconduct that does not necessarily need to proceed to the level where the teacher's license needs to be suspended. These subcommittee members will be required to collaborate with the educational institute committees in these procedures. If an offender violates the professional code of conduct and breaks the disciplinary laws but does not reach the level where their license is revoked, the subcommittee can consider what the appropriate sentence should be. The local subcommittees should report their findings to the central units in serious cases which would require the teacher's licence to be suspended by the Teachers Council (Reyes, 2016).

2) Revising the subordinate legislation for the disciplinary and ethical procedures to be combined and having this legislation ultimately amended. (Sudirman et al., 2019) Revising the subordinate legislation to appoint the special units in each province to deal with the code of conduct procedures so the Teachers Council should de-centralize the power to the subcommittees.

Moreover, the final suggestion from the focus group interviews from the experts of Thai Teachers Council has suggested that the recommendations for revising the legislation should emphasize putting short-term problem-solving solutions in place. This is because amending subordinate legislation could be more straightforward and require less time. The suggestions comprise 1) putting up an amendment to subordinate legislation that would appoint subcommittee members with authority to investigate a matter before and after it has been brought to their attention, including in cases where evidence of professional misconduct has been found. The subcommittee can only carry out its duties if there is a case involving allegations of professional misconduct that does not necessarily need to proceed to the level that the teacher's license is not suspended. 2) Empowering the Professional Standards Commission to exercise its authority under section 25(5) to appoint a subcommittee with direct responsibility for the professional code of conduct. 3) introducing additional subordinate legislation that enables the committee to decline to accept a complaint or issue a case number when it does not appear necessary to accept the complaint in the first place. In the long run, it is recommended that the accepting procedure under section 52 of the Teachers Council of Thailand Regulation and the Teachers and Educational Personnel Council Act, 2003 be amended to allow the Secretariat Office of the Teachers' Council of Thailand to have the authority in considering rejecting the case and giving the authority to not accepting the allegation. 4) If an offender violates the professional code of conduct and breaks

the discipline laws but does not reach the level where their license is revoked, and if the government then agrees to appoint a committee to investigate this not-serious offence, then that should allow integration of the work, allowing the investigation committee to consider what an appropriate sentence should be. Moreover, there should be no need to appoint a new subcommittee team to investigate the case again. Despite this, it is still essential to maintain the way the initial affiliation handles disciplinary actions separate from the way the Teachers Council of Thailand handles disciplinary actions and professional ethics. This is because both procedures can be carried out parallelly. 5) to address the risk problems in the administrative legislation, it is suggested that 5.1) enact subordinate legislation, especially for the case that is requesting an appeal. This is a request to one position-based committee within the Teachers' Council of Thailand not to give a vote to judge any wrongdoing in cases involving professional misconduct. 5.2) amend the subordinate legislation does not conflict with the Teachers and Educational Personnel Council Act, 2003. This can be done by altering the term "serious offences of professional ethics" to "offence of professional ethics requiring license revocation" and replacing the phrase "Not serious offences of professional ethics" with the phrase "offence of professional ethics which does not exceed the suspended license level" in all related legislation.

Conclusion

In summary, the main findings were that the laws related to personnel administration for teachers in Thailand are time-consuming and often duplicated and this is caused by the separation of ethical and disciplinary procedures. Furthermore, the centralization power of the Teachers Council of Thailand can also cause delays because of their limited resources. In addition, when a complaint is made the Teachers Council could delegate this responsibility to the local education office. In order to find the solution from a global perspective, the comparison study was applied. Applying the data of Ethical Procedures from ten countries and regions and using the borrowing policy theory; it is suggested that Thailand should decentralise the power of ethical procedure to education authorities and then report the results to the Teachers Council for withdrawal of the teaching registration certificate. (West et al., 2010) Moreover, combining ethical and disciplinary procedures together to reduce resources such as time and people. The implications of applying the proposed amendments to the legislation as detailed in this comparative study are that the procedures would be far more effective, consistent, and clarified, to be more consistent with other international practices in this regard. However, the limitations could be the resistance to cultural or system changes as well as the time-consuming process required to conduct the necessary consultations and amend the applicable legislation. Furthermore, Thailand is a developed country, and the justice process is run by government sectors as a main, which is still difficult if it will decentralise to schools in the code of conduct aspect. It also takes time when the country wants to combine the duplication of laws.

Acknowledgement

This study is the part of laws amendments research project which was funded by Thailand Teachers Council under the Teacher Education Research Funding Programme, and administered by the Faculty of Education, Burapha University, Thailand.

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