

THE DEVELOPMENT OF THE LITIGATION PROCESS FOR BREACH SCHOLARSHIP GRANT AGREEMENTS OF SUAN SUNANDHA RAJABHAT UNIVERSITY

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Abstract

The Research on the development of the litigation process for breach scholarship grant agreements of Suan Sunandha Rajabhat University aims to collect the steps and guidelines for litigating breach of contract for educational grants of the university so that the operators can perform correctly according to the steps and processes prescribed by law and use it as a standard for litigating breach of contract for educational grants of the university, including using it as a guideline for those who are interested and able to study on their own. The population used in this study is Group 1, working group, consisting of 5 legal officers, with initial qualifications of working in the legal field for more than 2 years, responsible for litigating breach of contract cases, receiving scholarships from Suan Sunandha Rajabhat University. Group 2, 2 administrators, with qualifications of working in the supervision of the disciplinary and legal department or supervising work related to the litigation process according to the scholarship contract, responsible for examining the feasibility of implementing the guidelines for litigating breach of contract cases from Suan Sunandha Rajabhat University. In collecting data, a questionnaire was used, and statistics used for data analysis included the mean and standard deviation.

Keywords: The development, Litigation Process, Scholarship Grant Agreements

Introduction

The Disciplinary and Legal Affairs Division is an agency under the Human Resources Management Division, Office of the President, Suan Sunandha Rajabhat University. Its important mission is to promote, support, and control the university's operations to comply with relevant laws, rules, regulations, and regulations. It also plays a role in discipline and legal affairs to ensure that the university's administration is efficient and up to standard. The main tasks of the Disciplinary and Legal Affairs Division cover 7 areas: fact-finding, disciplinary investigation, investigation of officials' tort liability, lawsuits related to educational grants, defense of lawsuits in which the university or its personnel are sued, acting as secretary to various committees, and providing advice and reviewing various contract drafts. All of this shows that the Disciplinary and Legal Affairs Division plays an important role in driving the university to operate in accordance with the established laws and regulations.

The litigation of breach of contract for educational grants is one of the important tasks of the Disciplinary and Legal Affairs Division, as it involves the management of the university's personnel development fund for maximum benefit. The work process in this section covers everything from gathering evidence, examining facts in contracts and

guarantees, to taking legal action in both the administrative court and the enforcement process. Operators must strictly comply with the law and within the specified time frame to prevent possible damage to the university.

In order to operate efficiently, the Disciplinary and Legal Affairs Division has prepared a manual on the operation of lawsuits for breach of contract for university scholarships. The objective is to provide guidelines for officials to operate in a standardized and consistent manner. Having clear and systematic guidelines will help reduce errors in legal proceedings and enable the university to deal with the problem of breach of scholarship contracts more effectively.

Research Objectives

1. Ensure that workers comply with legal procedures and protocols.
2. Provide standards for lawsuits involving violations of university scholarship contracts.

Literature Review

A contract to provide scholarships to civil servants, personnel or officials in a government agency to study or train in Thailand or abroad, with a condition that the said person must come to work for the government or work in the original agency after graduation within the time specified in the contract, is an administrative contract (Supreme Administrative Court Order No. 115/2546, 218/2548, 217/2549). The scholarship contract is a joint operation of public services with a government agency, therefore it is an administrative contract. Judgment on the jurisdiction of the court No. 29/2553, in addition, the said contract gives the government agency the authority to suspend the granting of scholarships or salaries or other payments, including allowing students who study abroad to return to their country, and allows the government agency to deduct the debts that the student must pay according to the contract from the pension or other payments that the student receives from the government, which reflects the special privileges of the state that are not found in general civil contracts. Therefore, the said contract is an administrative contract. Things to consider in a scholarship contract According to the principles of administrative contracts:

1. Contracts that express the privilege of the state over the other party to the contract.
2. Guarantee contracts in scholarship contracts are administrative contracts.
3. Court's authority to consider cases.
4. Filing lawsuits and statute of limitations in cases.
5. Liability and fines under the contract.
6. Excuses from being liable under the contract.

Research Methodology

1. Research Methodology
 - 1.1 Population and sample groups

A working group consisting of 5 legal persons with basic qualifications to engage in legal work for more than 2 years is responsible for prosecuting violations of the Suan Sunandha Rajabhat University Scholarship Agreement. Two qualified executives, who are responsible for carrying out duties related to the supervision of disciplinary and legal departments, or supervising work related to litigation procedures under scholarship agreements, are responsible for investigating the possibility of litigation procedures for

violating the Suansunandha Rajabhat University Scholarship Agreement. To collect data, use questionnaires and statistical data to analyze the data, including mean and standard deviation.

1.2 Educational methods

1.2.1 Research instruments

- 1) Brainstorming session
- 2) Feasibility questionnaire for applying the guidelines for the development of the process for litigation of breach of contract for educational grants of Suan Sunandha Rajabhat University

1.2.2 Data collection

- 1) Brainstorming session for the working group to collect steps and guidelines for developing the process for litigation of breach of contract for educational grants of Suan Sunandha Rajabhat University, and prepare a questionnaire for applying the guidelines.
- 2) Use the questionnaire for applying the guidelines for the development of the process for litigation of breach of contract for educational grants of Suan Sunandha Rajabhat University that has been approved by the executives to assess the feasibility of applying the guidelines.

2. Research Steps

2.1 Brainstorming meeting of the working group to collect steps and guidelines for developing the process for litigating breach of contract for receiving educational grants from Suan Sunandha Rajabhat University, and creating a questionnaire on the feasibility of using the said guidelines.

2.2 Using the questionnaire on the feasibility of using the guidelines for developing the process for litigating breach of contract for receiving educational grants from Suan Sunandha Rajabhat University, which has been approved by the executives, to assess the feasibility of using the said guidelines.

Research Results

The development of the litigation process for breach scholarship grant agreements

The problem of breach of contract for scholarships is a major issue that Suan Sunandha Rajabhat University has to face due to its impacts on both legal and scholarship management. This study focuses on developing a systematic, standardized and efficient litigation process that will enable the university to effectively track and take action against breachers.

This study focuses on developing a systematic, standardized, and efficient litigation process that will enable the university to effectively track and take action against breachers. The study found that there are several related laws and regulations, such as the Rajabhat University Act of 2004, the Human Resource Development Fund Regulations, and the Administrative Court Establishment Act, which are important frameworks for the litigation process. In addition, clear procedures have been established, from notification and demand, preparation of lawsuit documents, trial proceedings, to enforcement, which help reduce errors and speed up the process.

The developed approach has been assessed as highly feasible for practical use, with the highest average score in all the assessed areas. In addition, the use of technology, such as the e-Litigation Portal system, can significantly reduce the time and cost of operations. In summary, the development of the litigation process for breach of contract for educational grants helps standardize operations, reduce problems in fund management, and increase the agility of the university's debt tracking systematically.

Discussion

1. Litigation against scholarship breaches remains a complex matter, requiring clear guidelines to comply with the law.
2. Recommendations for using electronic systems, such as the e-Litigation Portal, may help speed up litigation.
3. Creating a guideline manual helps staff work with standards, reducing administrative problems.
4. A significant impact is that universities can allocate funds more efficiently and reduce future breaches.

Recommendations

1. The Disciplinary and Legal Affairs Division should establish a calendar for filing lawsuits for breach of contract for all scholarship recipients in order to control the work to be in accordance with the plan and within the time frame stipulated by law and to prevent any possible damage.
2. The Human Resource Development Fund must examine and consider cases of default by debtors and inform the Disciplinary and Legal Affairs Division of the resolution by taking urgent action. However, it must not exceed 60 days from the date the debtor or scholarship recipient defaults or breaches the scholarship contract.
3. The Disciplinary and Legal Affairs Division should propose that the university set clear criteria and procedures for enforcement proceedings.

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